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AMENDMENT OF THE WHOLE - 2/27/96

cc

FILE NO. 45-96-11 ORDINANCE NO. 101-96

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF PHILLIP GONZALES AND ROSALYNDA TAVEREZ-GONZALES AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $35,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Phillip Gonzales and Rosalynda Taverez-Gonzales v. City and County of San Francisco, et al.," San Bernardino Superior Court Nos. SC04291 and 11637 by the payment of $35,000. Settlement is to be conditioned upon a finding by the Superior Court of San Bernardino County that the settlement is in good faith within the meaning of Code of Civil Procedure sections 877 and 877.6.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Theodore R. Lakey
PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

FRED H. LAU, Chief
POLICE DEPARTMENT

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller
BOARD OF SUPERVISORS

APPROVED:

SECRETARY
Police Commission

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 4, 1996	March 11, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
Absent: Supervisor Kennedy	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 45-96-11

MAR 11 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAR 2 3 1996

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FILE NO. 101-95-52 AS AMENDED IN COMMITTEE 02/28/96 ORDINANCE NO. 102-96

(Government Funding)

RO# 95146
SA#61

$141,521

APPROPRIATING ~~$195,195~~ FROM THE GENERAL FUND RESERVE FOR SALARIES, FRINGE BENEFITS, OTHER CURRENT EXPENSES AND EQUIPMENT FOR THE CREATION OF ONE (1) POSITION AT THE REGISTRAR OF VOTERS FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-AAA	General Fund		
UN-UNA	General Fund Unallocated		
097-09799 (XXXXXX)	General Fund Reserve	$141,521 ~~$195,195~~	
RG-REG	Registrar of Voters		
001-00101 (805002)	Permanent Salaries		$18,746
001-00501 (805002)	Temporary Salaries		$32,370
001-01101 (805002)	Overtime - Miscellaneous		$9,960
013-01300 (805002)	Mandatory Fringe Benefits		$11,245 ~~$14,910~~
021-03599 (805002)	Other Current Expenses		$65,200
060-06199 (805002)	Equipment Purchases		$ 4,000 ~~$64,000~~
		$141,521 ~~$195,195~~	$141,521 ~~$195,195~~

BOARD OF SUPERVISORS

Section 2. Funds are hereby appropriated for the creation of one (1) position by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-95-11 as follows:

Class No.	Classification Title	Rate	Number of Positions Created
1819 N	MIS Specialist III	1936B2354	1

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodora P. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: John Wendell

DEPARTMENT OF HUMAN RESOURCES

BY: Burt Wendell Bayer
DIRECTOR

n:\...

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 4, 1996	March 11, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
Absent: Supervisor Kennedy	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-52

MAR 13 1996
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 23 1996
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FILE NO. 101-95-56 (Government Funding)

AS AMENDED IN COMMITTEE 02/28/96

ORDINANCE NO. 103-96

RO#95163
SA#63

APPROPRIATING $14,188,100 OF INTEREST EARNINGS FROM VARIOUS CAPITAL IMPROVEMENT PROJECT AND BOND FUNDS OF THE AIRPORT TO VARIOUS CAPITAL IMPROVEMENT PROJECTS AT THE AIRPORT FOR FISCAL YEAR 1995-96 (FIVE YEAR CAPITAL PROJECTS PLAN AND MASTER PLAN PROJECTS); PLACING $8,892,599 ON RESERVE.

2/28/96 grh

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
5A-CPF-AOF	SFIA-Capital Project Operating Fund		
AC-AIR	Airport Commission		
Proj. CACE35-01	Approved Capital Improvement		
999-09999 (AIRACPPRJ)	Unreserved Fund Balance	$6,751,639	
Proj. CACE35-01	Approved Capital Improvement		
060-06099 (AIRACPPRJ)	Capital Improvement Projects		$6,751,639
	Total	$6,751,639	$6,751,639
5A-CPF-87X	1987 - SFIA - Bond Fund		
AC-AIR	Airport Commission		
Proj. CACE36-01	Approved Capital Improvements		
999-09999 (AIR87ACP)	Unreserved Fund Balance	$30,562	
Proj. CACE36-01	Approved Capital Improvements		
060-06099 (AIR87ACP)	Capital Improvement Projects		$30,562
	Total	$30,562	$30,562
5A-CPF-76X	1976 - SFIA Rev. Bond Fund-Series "A"		
AC-AIR	Airport Commission		
Proj. CACE37-01	Approved Capital Improvements		
999-09999 (AIR75ACP)	Unreserved Fund Balance	$301,054	
Proj. CACE37-01	Approved Capital Improvements		
060-06099 (AIR75ACP)	Capital Improvement Projects		$301,054
	Total	$301,054	$301,054
5A-CPF-77X	1977 - SFIA Rev. Bond Fund-Series "B"		
AC-AIR	Airport Commission		
Proj. CACE38-01	Approved Capital Improvements		
999-09999 (AIR77ACP)	Unreserved Fund Balance	$243,564	
Proj. CACE38-01	Approved Capital Improvements		
060-06099 (AIR77ACP)	Capital Improvement Projects		$243,564
	Total	$243,564	$243,564
5A-CPE-83D	1983 - SFIA Series "D" Revenue Bond Fund		
AC-AIR	Airport Commission		
Proj. CACD73-01	Approved Capital Improvements		
999-09999 (AIR83ACP)	Unreserved Fund Balance	$1,201,550	

BOARD OF SUPERVISORS

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Proj. CACD73-01	Approved Capital Improvements		
060-06099 (AIR83ACP)	Capital Improvement Projects		$1,201,550
	Total	$1,201,550	$1,201,550
5A-CPF-90E	1990 - SFIA Series "E" Revenue Bond Fund		
AC-AIR	Airport Commission		
Proj. CACE40-01	Approved Capital Improvements		
999-09999 (AIR90ACP)	Unreserved Fund Balance	$557,657	
Proj. CACE40-01	Approved Capital Improvements		
060-06099 (AIR90ACP)	Capital Improvement Projects		$557,657
	Total	$557,657	$557,657
5A-CPF-921	1992 - SFIA Refunding Bond - Issue 1		
AC-AIR	Airport Commission		
Proj. CACF48-01	Construction-Unallocated Issue 1		
999-09999 (AIR01UNALLOC)	Unreserved Fund Balance	$34,854	
Proj. CACF48-01	Construction-Unallocated Issue 1		
060-06099 (AIR01UNALLOC)	Capital Improvement Projects		$34,854
	Total	$34,854	$34,854

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
5A-CPF-932	1993 - SFIA Refunding Bond - Issue 2		
AC-AIR	Airport Commission		
Proj. CACF49-01	Construction-Unallocated Issue 2		
999-09999 (AIR02UNALLOC)	Unreserved Fund Balance	$906	
Proj. CACF49-01	Construction-Unallocated Issue 2		
060-06099 (AIR02UNALLOC)	Capital Improvement Projects		$906
	Total	$906	$906
5A-CPF-933	1993 - SFIA Refunding Bond - Issue 3		
AC-AIR	Airport Commission		
Proj. CACF50-01	Construction-Unallocated Issue 3		
999-09999 (AIR03UNALLOC)	Unreserved Fund Balance	$10,937	
Proj. CACF50-01	Construction-Unallocated Issue 3		
060-06099 (AIR03UNALLOC)	Capital Improvement Projects		$10,937
	Total	$10,937	$10,937
5A-CPF-934	1993 - SFIA Refunding Bond - Issue 4		
AC-AIR	Airport Commission		
Proj. CACF51-01	Construction-Unallocated Issue 4		
999-09999 (AIR04UNALLOC)	Unreserved Fund Balance	$8,017	

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Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Proj. CACF51-01	Construction-Unallocated Issue 4		
060-06099 (AIR04UNALLOC)	Capital Improvement Projects		$8,017
	Total	$8,017	$8,017
5A-CPF-926	1992 - SFIA Master Plan Bonds- Issue 6		
AC-AIR	Airport Commission		
Proj. CACD99-01	Construction-Unallocated		
999-09999 (AIR05UNALLOC)	Unreserved Fund Balance	$1,054,761	
Proj. CACD99-01	Construction-Unallocated		
060-06099 (AIR05UNALLOC)	Capital Improvement Projects		$1,054,761
	Total	$1,054,761	$1,054,761
5A-CPF-926	1992 - SFIA Master Plan Bonds- Issue 6		
AC-AIR	Airport Commission		
Proj. CACE03-01	Construction-Unallocated		
999-09999 (AIR06UNALLOC)	Unreserved Fund Balance	$3,992,599	
Proj. CACE03-01	Construction-Unallocated		
060-06099 (AIR06UNALLOC)	Capital Improvement Projects		$3,992,599
	Total	$3,992,599	$3,992,599
	Grand Total	$14,188,100	$14,188,100

Section 2. Funds in the amount of $8,892,599 are hereby placed on reserve, pending the selection of contractors, and the submission of the MBE/WBE status of the contractors and contract cost details; to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 4, 1996	March 11, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
Absent: Supervisor Kennedy	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-56

MAR 13 1996
Date Approved

Mayor

DOCUMENTS DE
MAR 23 1996
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cc

FILE NO. 101-95-57 (Government Funding)

AS AMENDED IN COMMITTEE 02/28/96

ORDINANCE NO. 104-96

RO#95152

SA#54

APPROPRIATING $597,410 OF 1992 FIRE PROTECTION BOND PROCEEDS FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS AT THE FIRE DEPARTMENT FOR FISCAL YEAR 1995-96; PLACING $215,000 ON RESERVE.

02/28/96 grh

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Credit
3C-FPS-92	1992 Fire Dept. Facilities Project		
FC-FIR	Fire Department		
999-09999 (310123)	Fund Balance	$597,410	
060-06700 (310123)	Capital Improvement Project		
Proj. CFCFD2 SS1501	Project Management Control-DPW		$152,540
Proj. CFCFD2 SS2001	SFFD - Administration		$229,870
Proj. CFCFD2 SS2501	SFFD - Management		$215,000
	Total	$597,410	$597,410

02/28/96 grh

Section 2. Funds in the amount of $215,000 are hereby placed on reserve, pending the Fire Department's submission of budget details and related costs; to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 4, 1996	March 11, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
Absent: Supervisor Kennedy	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-95-57

MAR 13 1996
Date Approved

_____
Mayor

DOCUMENTS DEPT.

MAR 23 1996

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FILE NO. 101-95-58 (Government Funding)

AS AMENDED IN COMMITTEE 02/28/96

ORDINANCE NO. 105-96

RO#95116

SA#15

APPROPRIATING $801,000 OF NARCOTICS FORFEITURE AND ASSET SEIZURE FUND REVENUES TO EQUIPMENT TO ALLOW THE AIRPORT TO ENHANCE THE NARCOTICS INTERDICTION PROGRAM FOR FISCAL YEAR 1995-96; PLACING $390,359 ON RESERVE.

2/28/96 grh

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
5A-SRF-NFF	SFIA Narc. Forfeiture & Asset Seizure Fund		
AC-AIR	Airport Commission		
Proj. CACF01-01	Unallocated		
999-09999 (AIR NARCOTICS)	Unreserved Fund Balance	$801,000	
Proj. CACF04-01	Miscellaneous Equipment		
060-06099 (AIR NARCOTICS)	Equipment Purchase		$801,000
	Total	$801,000	$801,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON

BY: _____
CONTROLLER

02/28/96 grh

Section 2. Funds in the total amount of $390,359 are hereby placed on reserve, consisting of $181,659 for the Response Team/Detection Equipment, pending the submission of budget details and $208,700 for the Information Services, pending a determination of whether City staff or outside consultants would be utilized, finalized cost details, estimated hours, hourly rates and the MBE/WBE status if consultants are to be utilized; to be released by the Budget Committee.

n:\ordinapp\97\ar15

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 4, 1996	$	March 11, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	$	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
	$	
Absent: Supervisor Kennedy	$	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-58

MAR 13 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAR 23 1996

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FILE NO. 102-95-11 ORDINANCE NO. 106-96

PUBLIC EMPLOYMENT SAL.ORD.AMEND. NO. 9

AMENDING ORDINANCE NO. 256-95 (ANNUAL SALARY ORDINANCE, 1995/96)

REFLECTING THE CREATION OF ONE POSITION FOR THE REGISTRAR OF VOTERS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No.256-95 (Annual Salary Ordinance, 1995/96) are hereby amended so that the same shall read as follows:

(Amend-ment)	No. Pos.	Class and Item No.	Class Title	Compensation Schedule
		Department:	80 Registrar	
		Division:	00 Registrar	
		Section:	00 Registrar	
		Program:	6217 Registrar of Voters	
		Fund:	01001 General Fund	
		Index:	430017 Regis Voters-Exp	
		Proj/Phase:	000/00 Unassigned Title	
		Object:	001 Permanent Salaries-Misc.	
1 Added	1	1819 N	MIS Specialist III	SC $1936B2354

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

Wendell S. Sayer
HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 9

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 4, 1996	March 11, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
Absent: Supervisor Kennedy	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 102-95-11

MAR 13 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAR 23 1996

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PUBLIC LIBRARY

cc

FILE NO. 45-96-8

ORDINANCE NO. 107-96

RO #95145

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JULIA BONTEMPI AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $9,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Julia Bontempi v. City and County of San Francisco", San Francisco Superior Court No. 967-530, by the recovery of $9,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

RECREATION AND PARK DEPARTMENT

MARY E. BURNS
General Manager

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

1G AGF AAA 97 09 42
975052 05311 $9,000.00

APPROVED:

RECREATION & PARK COMMISSION

Secretary

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 4, 1996	$	March 11, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	$	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
	$	
	$	
Absent: Supervisor Kennedy	$	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-96-8

MAR 13 1996

Date Approved

Mayor

DOCUMENTS DEPT.

MAR 23 1996

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FILE NO. 45-96-10 ORDINANCE NO. 108-96

RO #95161

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF RIVA MINTZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $25,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Riva Mintz v. City and County of San Francisco, et al.," Superior Court No. 956-066 by the payment of $25,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

FRED H. LAU, Chief of Police
POLICE DEPARTMENT

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

1G AGF AAA 38 00 00
385026 05311 $25,000.00
02/14/96

APPROVED:

SECRETARY
Police Commission

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
March 4, 1996	$	March 11, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	$	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
Absent: Supervisor Kennedy	$	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 45-96-10

MAR 13 1996
Date Approved

Mayor

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FILE NO. 45-96-12

ORDINANCE NO. 109-96

RO #95160

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF PROGRESSIVE INSURANCE COMPANY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $8,000.00

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Progressive Insurance Company v. City and County of San Francisco", Municipal Court No. 117744 by the payment of $8,000.00.

APPROVED AS TO FORM:
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

JOHN NEWLIN, Exec. Dir.
Parking & Traffic Comm.

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

1G AGF AAA 97 09 36
975032 05311 $8,000?00
#2-13-96

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 4, 1996	March 11, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
Absent: Supervisor Kennedy	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-96-12

MAR 13 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAR 23 1996

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FILE NO. 45-96-13 ORDINANCE NO. 110-96

RO #95164

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF TROY J. SCALISE AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $20,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "TROY J. SCALISE V. CITY AND COUNTY OF SAN FRANCISCO" Superior Court No. 950-383, by payment of $20,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

JONATHAN V. HOLTZMAN
Special Assistant
to the City Attorney

RECOMMENDED:

CHIEF LAU
San Francisco Police Department

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller
1G AGF AAA 38 00 00
385026 05311 $20,000.00
02/14/96

APPROVED:

S. F. POLICE COMMISSION

LT. MANUEL BARRETTA
Secretary

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading

March 4, 1996

Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki

Absent: Supervisor Kennedy

Finally Passed

March 11, 1996

Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki

Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-96-13

MAR 13 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAR 23 1996

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PUBLIC LIBRARY

cc

FILE NO. 45-96-14 ORDINANCE NO. 111-96

RO #95165

(SETTLEMENT OF LAWSUIT)

AUTHORIZATION SETTLEMENT OF LITIGATION OF WILLIE WRIGHT v. FERNANDO JOSE CONTRERAS, et al. FOR $15,000.00

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Willie E. Wright v. Fernando Jose Contreras, et al.", San Francisco Superior Court No. 953-700, by the payment of $15,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PARKING & TRAFFIC

JOHN E. NEWLIN
Executive Director

FUNDS AVAILABLE:

CONTROLLER

1G AGF AAA 97 09 36
975032 05311 $15,000.00
02/14/96

APPROVED

SECRETARY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 4, 1996	$	March 11, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	$	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
	$	
	$	
Absent: Supervisor Kennedy	$	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-96-14

MAR 1 3 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAR 23 1996

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FILE NO. 97-96-6 ORDINANCE NO. 112-96

[PUC -- Franchises]

AMENDING CHAPTER 11, ARTICLE 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 11.08 THEREOF TO PROVIDE THAT THE REPORT REGARDING THE FEASIBILITY OF MUNICIPALIZING THE ELECTRICITY UTILITIES DISTRIBUTION SYSTEM IN SAN FRANCISCO SHALL BE SUBMITTED BY THE PUC TO THE BOARD OF SUPERVISORS BY OCTOBER 30, 1996, RATHER THAN JUNE 30, 1996.

Note: Additions are indicated by underscoring; deletions are indicated by ((double parentheses))

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 11, Article 1 of the San Francisco Administrative Code is hereby amended by amending Section 11.08 to read as follows:

SEC> 11.08. The Public Utilities Commission shall prepare and submit to the Board of Supervisors not later than ((June 30, 1996)) October 30, 1996 a preliminary report regarding the feasibility of the City and County acquiring, owning and operating for its citizens the electricity utilities distribution system in the City and County of San Francisco. The willful failure of any public official to

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/ / /

/ / /

discharge any of the duties imposed by this section shall be deemed official misconduct.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Theodore R. Lakey
Deputy City Attorney

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 4, 1996	$	March 11, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	$	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
	$	
	$	
Absent: Supervisor Kennedy	$	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-96-6

MAR 13 1996
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 23 1996
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PUBLIC LIBRARY

FILE NO. 97-96-7 ORDINANCE NO. 113-96

[Execution of Leases]

AMENDING CHAPTER 23, ARTICLE III, SAN FRANCISCO ADMINISTRATIVE CODE, BY AMENDING SECTION 23.20 THEREOF, RELATING TO EXECUTION OF LEASES ENTERED INTO BY THE CITY AND COUNTY OF SAN FRANCISCO AS LESSEE, TO ALLOW THE MAYOR'S DIRECTOR OF FINANCE, AS WELL AS THE MAYOR, TO EXECUTE THESE LEASES.

NOTE: Additions are underlined. Deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 23, Article III of the San Francisco Administrative Code is hereby amended by amending Section 23.20 thereof to read as follows:

Section 23.20. EXECUTION OF LEASES; RESOLUTION AUTHORIZING LEASE. Except as otherwise specifically provided by the Charter, all other leases of land and improvement entered into by the City and County, as lessee, shall be executed by the Mayor or the Mayor's Director of Finance and by the Clerk of the Board of Supervisors, pursuant to resolutions adopted by the Board of Supervisors. Before adoption, such resolutions must be approved by the Director of Property ((, the City Attorney)) and the head of the department concerned.

Section 2. The Authority provided by this Ordinance shall apply retroactively to all leases which heretofore have been approved by the Board of Supervisors, by ordinance or resolution, but not executed by the Mayor.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: [signature]
Deputy City Attorney

Real Estate
BOARD OF SUPERVISORS

Real Estate
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 4, 1996	$	March 11, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	$	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
	$	
	$	
Absent: Supervisor Kennedy	$	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-96-7

MAR 13 1996
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 23 1996
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PUBLIC LIBRARY

FILE NO. 121-96-4 ORDINANCE NO. 114-96

[Repeal of Flat Rate Airport Fare]

AMENDING PART II, CHAPTER VII, ARTICLE 16 OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 1135 TO DELETE THE FLAT RATE FARE FOR GROUPS OF PASSENGERS TRAVELING TO OR FROM THE SAN FRANCISCO INTERNATIONAL AIRPORT.

NOTE: Additions are indicated by underscoring.
Deletions are indicated by ((double parenthesis)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter VIII, Part II, Article 16 of the San Francisco Municipal Code (Police Code) is hereby amended by amending Section 1135 to read as follows:

SEC. 1135. RATES FOR TAXICABS.

(a) ((Except as provided in Subsection (b) of this Section,)) ((t)) The rates of fare for taxicabs shall be as follows: $1.70 for the first sixth mile or "flag"; 30¢ for each additional 1/6 mile or fraction thereof; 30¢ for each one minute of waiting or traffic delay time. For out-of-town trips exceeding 15 miles beyond City limits, the fare will be 150 percent of the metered rate; for trips exceeding 15 miles from San Francisco International Airport and not terminating within the City limits of San Francisco, the fare will be 150 percent of the metered rate except for those trips from San Francisco International Airport traversing through San Francisco going to Marin County or to the East Bay the 15-mile limit will apply from the City limits of San Francisco as set forth above.

(((b) There shall be a flat rate of fare for groups of two or more persons of $24 for passengers for trips from the City and County of San Francisco to the San Francisco International Airport or from the San Francisco International Airport to the City and County of San Francisco. Each passenger shall pay a fare equal to $24 divided by the number of passengers sharing the ride. There shall be a maximum of three passenger boarding points and a maximum of three passenger destination points within the City and County of San Francisco or the San Francisco International Airport.))

(((c))) (b) For trips within the San Francisco City limits by elderly or handicapped persons who have been deemed eligible under San Francisco's paratransit services program to pay for transportation with scrip redeemable by participating taxicab operators from the Paratransit Program for cash, the fare shall be at the rate less an eight-percent discount for the first year

commencing with the effective date of this ordinance and said discount thereafter shall be negotiated as required by the San Francisco Public Utilities Commission with participating San Francisco taxicab operators.

(((d))) [c] ((This Subsection shall not apply to public passenger vehicles engaged pursuant to Section 1135(b).)) The driver of a public passenger vehicle may transport two or more passengers who voluntarily agree to share the vehicle from the same boarding point to one destination point. Each passenger shall pay a fare at the destination point in an amount equal to the total fare divided by the number of passengers sharing the ride.

(((e))) [d] A passenger who first engages a public passenger vehicle has the exclusive right to conveyance therein to his or her destination. The driver shall not solicit or accept any additional passenger without the prior consent of any passenger who has previously engaged the vehicle.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Maryam M Morley
Deputy City Attorney

BOARD OF SUPERVISORS
SUPERVISOR KENNEDY

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DOCUMENTS DEPARTMENT
CIVIC CENTER LIBRARY
(2 copies of all Leg.)

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 4, 1996	$	March 11, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Leal Migden Shelley Teng Yaki	$	Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki
	$	
	$	
Absent: Supervisor Kennedy	$	Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
121-96-4

MAR 13 1996
Date Approved

Mayor

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PUBLIC LIBRARY

File 121-96-5.1 Ordinance 115-96

ERRATA

CORRECT Ordinance 115-96 (File 121-96-5.1) concerning tour buses on 15th Avenue from Lake Street to the Presidio by inserting reference in the title to section being added as follows:

On line 2, after "Code)" add the following words: "BY ADDING SECTION 1183.27".

John L. Taylor
Clerk of the Board
March 26, 1996

BOARD OF SUPERVISORS

3/5/96 - Amendment of the Whole.

FILE NO 121-96-5.1 ORDINANCE NO. 115-96

[Tour Bus Restrictions]

AMENDING PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY ADDING SECTION 1183.27 TO PROHIBIT TOUR BUSES ON 15TH AVENUE FROM LAKE STREET TO THE PRESIDIO; PROVISIONS OF THIS ORDINANCE SHALL EXPIRE ON JUNE 30, 1996.

3/26/96 jc1

Note: Additions are underlined; there are no deletions.

Be it Ordained by the people of the City and County of San Francisco:

Section 1. Part II, Chapter XI, of the San Francisco Municipal Code (Police Code) is hereby amended by adding section 1183.27 as follows:

SECTION 1183.27 RESTRICTED AREAS. 15th Avenue, from Lake Street to the Presidio.

Section 2. The provisions of this ordinance shall expire on June 30, 1996.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

///

SUPERVISORS KEVIN SHELLEY, MICHAEL YAKI, SUE BIERMAN, TOM AMMIANO

///

BOARD OF SUPERVISORS

///

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 11, 1996	March 18, 1996
Ayes: Supervisors Alioto Bierman Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki
Absent: Supervisors Ammiano Hsieh Kaufman Kennedy Leal	Absent: Supervisor Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
121-96-5.1

MAR 22 1996
Date Approved

Mayor

FILE NO. 101-95-23
(Government Funding)

ORDINANCE NO. 116-96
RO#95068
SA#17

APPROPRIATING $169,000 FROM A BOARD RESERVE TO ALLOW THE BOARD OF SUPERVISORS TO PURCHASE EQUIPMENT NECESSARY TO PROVIDE GAVEL TO GAVEL COVERAGE OF BOARD MEETINGS FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
IG-AGF-AAA	General Fund		
UN-UNA	General Fund Unallocated		
097-097D3 (CON000174)	Reserve for Board of Supervisors-Citywatch	$169,000	
BD-BOS	Board of Supervisors		
060-06051 (015006)	Communications Equipment		$169,000
	Total	$169,000	$169,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON

BY: _____
CONTROLLER

n:\...\approp\01sa#17

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 18, 1996	$	March 25, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki	$	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki
	$	
Absent: Supervisor Leal	$	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-23

MAR 28 1996
Date Approved

Mayor

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FILE NO. 101-95-33 AS AMENDED IN COMMITTEE 03/13/96 ORDINANCE NO. 117-96

(Government Funding) RO# 95094 SA#25

$317,095

APPROPRIATING ~~$398,676~~ OF TRAFFIC OFFENDER FUND REVENUES TO SALARIES, FRINGE BENEFITS, CONTRACTUAL SERVICES, MATERIALS AND SUPPLIES, EQUIPMENT AND SERVICES OF OTHER DEPARTMENTS TO ALLOW THE POLICE DEPARTMENT TO CONDUCT A TRAFFIC SAFETY PROGRAM FOR FISCAL YEAR 1995-96; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN AND PLACING $35,000 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
28-PPF-PDO	Traffic Offender Fund - Adm. Fee		
PC-POL	Police Department	$317,095 ~~$398,676~~	
600-60699 (380086)	Other Public Safety Charges-Misc. Admin. Fee		
Proj. xxxxxxxxxx	S.F. Traffic Offender Program		
001-00501 (380086)	Temporary Salaries - Miscellaneous		$63,362
001-01102	Overtime - Uniform		$142,927 ~~$206,338~~
013-01402	Fringe Benefits		$2,916
021-02899	Computer Contractual Services		$37,500^A
021-03552	Non-Personal Services - Printing		$25,560
040-04921	Data Processing Supplies - Toner		$500
040-04931	Forms		$1,000
040-04941	Minor Furnishings		$45,000

03/13/96 grh

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
060-06061	Computer Equipment		$8,000
081-081WB	Services of Other Dept.-DPW Bldg. Repair		$7,500
081-081EL	Services of Other Dept.-Electricity		$2,000
	Total	$317,095 ~~$398,676~~	$317,095 ~~$398,676~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M HARRINGTON
CONTROLLER

BY: _____

n:\ord\Board\385A#25

03/13/96 grh

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action prevously taken.

Section 3. Funds in the amount of $35,000 of the $37,500 appropiated for computer contractual services are hereby placed on reserve pending the selection of a contractor and identification of the MBE/WBE status of the contractor; and to be released by the Budget Committee.

BOARD OF SUPERVISORS

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SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 18, 1996	$	March 25, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki	$	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki
	$	
Absent: Supervisor Leal	$	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-33

MAR 2 8 1996
Date Approved

Mayor

FILE NO. 101-95-43

(Government Funding)

ORDINANCE NO. 118-96

RO#95122
SA#58

APPROPRIATING $100,000 FROM THE GENERAL FUND RESERVE FOR SALARIES AND FRINGE BENEFITS FOR THE MAYOR'S OFFICE FOR FISCAL YEAR 1995-96; PLACING $13,493 ON RESERVE. (ESTIMATE OF VESTED VACATION AND FRINGES).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-AAA	General Fund		
UN-UNA	General Fund Unallocated		
097-09799 (*CON1GAGFAAA)	General Fund Reserve	$100,000	
MY-MYR	Mayor's Office		
001-00101 (255018)	Salaries - Miscellaneous		$92,643
013-01300 (255018)	Mandatory Fringe Benefits		$7,357
		$100,000	$100,000

Section 2. Funds in the amount of $13,493 are hereby placed on reserve pending determination of actual cost details. To be released by the Controller.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 18, 1996	$	March 25, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki	$	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki
	$	
Absent: Supervisor Leal	$	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-95-43

MAR 2 8 1996
Date Approved

_____
Mayor

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FILE NO. 101-95-59 ORDINANCE NO. 119-96

(Government Funding) RO# 95157
SA#60

APPROPRIATING $78,279 OF RENT ARBITRATION BOARD FUNDS FOR SALARIES, MANAGEMENT CONSULTING SERVICES AND OTHER PROFESSIONAL SERVICES FOR THE RENT ARBITRATION BOARD FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
2S-NDF-RAB	**Rent Arbitration Board Fund**		
RB-RNT	Rent Arbitration Board		
999-09999 655004	Unappropriated Revenue	$78,279	
001-00501 (655004)	Salaries - Temporary		$8,415
021-02751 (655004)	Management Consulting Services		$40,000
021-02799 (655004)	Other Professional Services		$29,864
		$78,279	$78,279

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading
March 18, 1996

Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki

Absent: Supervisor Leal

Finally Passed
March 25, 1996

Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki

Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-59

MAR 28 1996
Date Approved

Mayor

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FILE NO. 115-95-16 ORDINANCE NO. 120-96

(Office Affordable Housing Production Program)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) TO ADD SECTION 313 EXTENDING THE DURATION OF THE OFFICE AFFORDABLE HOUSING PRODUCTION PROGRAM ORDINANCE, EXTENDING THE EXPIRATION DATE OF INTERIM GUIDELINES CREDITS, ALLOCATING $100,000 FROM THE AFFORDABLE HOUSING FUND TO UPDATE AND EXPAND STUDIES SHOWING THE RELATIONSHIP BETWEEN OFFICE AND OTHER COMMERCIAL DEVELOPMENT AND HOUSING DEMAND, ADDING FINDINGS ON THE CITY'S CURRENT HOUSING NEEDS AND THE VALIDITY OF THE FORMULA FOR HOUSING PRODUCTION REQUIREMENTS FOR NEW OFFICE DEVELOPMENT, AND PROVIDING FOR AN EVALUATION OF THE ORDINANCE.

Note: This entire legislation is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by adding Section 313 thereof, to read as follows:

SUPERVISORS MIGDEN, BIERMAN, TENG

BOARD OF SUPERVISORS

SEC. 313. HOUSING REQUIREMENTS FOR OFFICE DEVELOPMENT PROJECTS. Sections 313.1 through 313.14 set forth the requirements and procedures for the Office Affordable Housing Production Program.

SEC. 313.1. DEFINITIONS. The following definitions shall govern interpretation of this Ordinance:

(1) "Affordable housing project" shall mean a housing project containing units constructed to satisfy the requirements of Sections 313.5 or 313.7 of this Ordinance or receiving funds from the Affordable Housing Fund under Section 313.12.

(2) "Affordable to a household" shall mean a purchase price that a household can afford to pay based on an annual payment for all housing costs of 33 percent of the combined household annual net income, a 10 percent down payment, and available financing, or a rent that a household can afford to pay based on an annual payment for all housing costs of 30 percent of the combined annual net income.

(3) "Affordable to qualifying households" shall mean:

(A) With respect to owned units, the average purchase price on the initial sale of all affordable owned units in an

BOARD OF SUPERVISORS

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affordable housing project shall not exceed the allowable average purchase price. Each unit shall be sold:

1) Only to households with an annual net income equal to or less than that of a household of moderate income;

2) On the initial sale, at or below the maximum purchase price; and

3) On subsequent sales, at or below the prices to be determined by the Director in rules and regulations promulgated pursuant to Section 313.5(6) such that the units are affordable to qualifying households.

(B) With respect to rental units in an affordable housing project, the average annual rent shall not exceed the allowable average annual rent. Each unit shall be rented:

1) Only to households with an annual net income equal to or less than that of a household of lower income;

2) At or less than the maximum annual rent.

(4) "Allowable average purchase price" shall mean:

(A) For all affordable one-bedroom units in a housing project, a price affordable to a two-person household of median income as set forth in Title 25 of the California Code of Regulations Section 6932 ("Section 6932") on January 1st of that year;

(B) For all affordable two-bedroom units in a housing project, a price affordable to a two-person household of median income as set forth in Section 6932 on January 1st of that year;

(C) For all affordable three-bedroom units in a housing project, a price affordable to a four-person household of median income as set forth in Section 6932 on January 1st of that year;

(D) For all affordable four-bedroom units in a housing project, a price affordable to a five-person household of median income as set forth in Section 6932 on January 1st of that year.

(5) "Allowable average annual rent" shall mean:

(A) For all affordable one-bedroom units in a housing project, 18 percent of the median income for a household of two persons as set forth in Section 6932 on January 1st of that year;

(B) For all affordable two-bedroom units in a housing project, 18 percent of the median income for a household of three persons as set forth in Section 6932 on January 1st of that year;

(C) For all affordable three-bedroom units in a housing project, 18 percent of the median income for a household of four persons as set forth in Section 6932 on January 1st of that year;

(D) For all affordable four-bedroom units in a housing project, 18 percent of the median income for a household of five persons as set forth in Section 6932 on January 1st of that year.

(6) Annual net income shall mean net income as defined in Title 25 of the California Code of Regulations Section 6916.

(7) "Average annual rent" shall mean the total annual rent for the calendar year charged by a housing project for all affordable rental units in the project of an equal number of bedrooms divided by the total number of affordable units in the project with that number of bedrooms.

(8) "Average purchase price" shall mean the purchase price for all affordable owned units in an affordable housing project of an equal number of bedrooms divided by the total number of affordable units in the project with that number of bedrooms.

(9) "Community apartment" shall be as defined in San Francisco Subdivision Code Section 1308(b).

(10) "Condominium" shall be as defined in California Civil Code Section 783.

(11) "Director" shall mean the Director of City Planning or his or her designee, including other City agencies or departments.

(12) "First certificate of occupancy" shall mean either a temporary certificate of occupancy or a Certificate of Final Completion and Occupancy as defined in San Francisco Building Code Section 307, whichever is issued first.

(13) "Household" shall mean any person or persons who reside or intend to reside in the same housing unit.

(14) "Household of lower income" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed the qualifying limit for a lower-income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in Title 25 of the California Code of Regulations Section 6932.

(15) "Household of median income" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed the qualifying limit for a median-income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in Title 25 of the California Code of Regulations Section 6932.

(16) "Household of moderate income" shall mean a household composed of one or more persons with a combined annual net

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income for all adult members which does not exceed the qualifying limit for a moderate-income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in Title 25 of the California Code of Regulations Section 6932.

(17) "Housing developer" shall mean any business entity building housing units which receives a payment from a sponsor for use in the construction of the housing units. A housing developer may be (a) the same business entity as the sponsor, (b) an entity in which the sponsor is a partner, joint venturor, or stockholder, or (c) an entity in which the sponsor has no control or ownership.

(18) "Housing unit" or "unit" shall mean a dwelling unit as defined in San Francisco Housing Code Section 203.4.

(19) "Interim Guidelines" shall mean the Office Housing Production Program Interim Guidelines adopted by the City Planning Commission on January 26, 1982, as amended.

(20) "Maximum annual rent" shall mean the maximum rent that a housing developer may charge any tenant occupying an affordable unit for the calendar year. The maximum annual rent shall be 30 percent of the annual income for a lower-income

household as set forth in Section 6932 on January 1st of each year for the following household sizes:

(A) For all one-bedroom units, for a household of two persons;

(B) For all two-bedroom units, for a household of three persons;

(C) For all three-bedroom units, for a household of four persons;

(D) For all four-bedroom units, for a household of five persons.

(21) "Maximum purchase price" shall mean the maximum purchase price that a household of moderate income can afford to pay for an owned unit based on an annual payment for all housing costs of 33 percent of the combined household annual net income, a 10 percent down payment, and available financing, for the following household sizes:

(A) For all one-bedroom units, for a household of two persons;

(B) For all two-bedroom units, for a household of three persons;

(C) For all three-bedroom units, for a household of four persons;

(D) For all four-bedroom units, for a household of five persons.

(22) "Net addition of gross square feet of office space" shall mean gross floor area as defined in Planning Code Section 102.8 to be occupied by, or primarily serving, office use, less the gross floor area in any structure demolished or rehabilitated as part of the proposed office development project space used primarily and continuously for office use and not accessory to any use other than office use for five years prior to Planning Commission approval of an office development project subject to this Section, or for the life of the structure demolished or rehabilitated, whichever is shorter.

(23) "Office development project" shall mean any new construction, addition, extension, conversion, or enlargement, or combination thereof, of an existing structure which includes any gross square feet of office space.

(24) "Office use" shall mean space within a structure or portion thereof intended or primarily suitable for occupancy by persons or entities which perform, provide for their own benefit, or provide to others at that location services including, but not limited to, the following: Professional, banking, insurance, management, consulting, technical, sales,

and design or the office functions of manufacturing and warehousing businesses, but excluding retail uses; repair; any business characterized by the physical transfer of tangible goods to customers on the premises; wholesale shipping, receiving and storage; and design showcases or any other space intended and primarily suitable for display of goods. This definition shall include all uses encompassed within the meaning of Planning Code Section 219.

(25) "Ordinance" shall mean Planning Code Sections 313.1 through 313.14.

(26) "Owned unit" shall mean a unit affordable to qualifying households which is a condominium, stock cooperative, community apartment, or detached single-family home. The owner or owners of an owned unit must occupy the unit as their primary residence.

(27) "Owner" shall mean the record owner of the fee or a vendee in possession.

(28) "Rent" or "rental" shall mean the total charges for rent, utilities, and related housing services to each household occupying an affordable unit.

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(29) "Rental unit" shall mean a unit affordable to qualifying households which is not a condominium, stock cooperative, or community apartment.

(30) "Retail use" shall mean space within any structure or portion thereof intended or primarily suitable for occupancy by persons or entities which supply commodities to customers on the premises including, but not limited to, stores, shops, restaurants, bars, eating and drinking businesses, and the uses defined in Planning Code Sections 218 and 220 through 225, and also including all space accessory to such retail use.

(31) "Section 6932" shall mean Section 6932 of Title 25 of the California Code of Regulations as such section applies to the County of San Francisco.

(32) "Sponsor" shall mean an applicant seeking approval for construction of an office development project subject to this Section, such applicants' successors and assigns, and/or any entity which controls or is under common control with such applicant.

(33) "Stock cooperative" shall be as defined in California Business and Professions Code Section 11003.2.

(34) "Superintendent" shall mean the Superintendent, Bureau of Building Inspection.

SEC. 313.2. FINDINGS. The Board hereby finds and declares as follows: Large-scale office developments in the City and County of San Francisco (hereinafter "City") have attracted and continue to attract additional employees to the City, and there is a causal connection between such developments and the need for additional housing in the City, particularly housing affordable to households of lower and moderate income. Office uses in the City are benefitted by the availability of housing for persons employed in such offices close to their place of employment. However, the supply of housing units in the City has not kept pace with the demand for housing created by these new employees. Due to this shortage of housing, employers will have difficulty in securing a labor force, and employees, unable to find decent and affordable housing, will be forced to commute long distances, having a negative impact on quality of life, limited energy resources, and already overcrowded highways and public transport.

There is a low vacancy rate for housing affordable to persons of lower and moderate income. In part, this low vacancy rate is due to factors unrelated to large office development, such as high interest rates, high land costs in the City,

immigration from abroad, demographic changes such as the reduction in the number of persons per household, and personal, subjective choices by households that San Francisco is a desirable place to live. This low vacancy rate is also due in part to large office developments which have attracted and will continue to attract additional employees and residents to the City. Consequently, some of the employees attracted to these large office developments are competing with present residents for scarce, vacant affordable housing units in the City. Competition for housing generates the greatest pressure on the supply of housing affordable to households of lower and moderate income. In San Francisco, office or retail uses of land generally yield higher income to the owner than housing. Because of these market forces, the supply of these affordable housing units will not be expanded. Furthermore, Federal and State housing finance and subsidy programs are not sufficient by themselves to satisfy the lower and moderate income housing requirements of the City.

As demonstrated in the "Analysis of the OAHPP Formula prepared by the Department of City Planning in November 1994," construction of new housing units in the City has decreased to a low of 500 units in 1993 compared to an average annual

production of 1,600 units over the previous ten years. Overall housing production in the City should average 2,300 units a year to keep up with the City's share of regional housing demand.

There is a continuing shortage of low and moderate income housing in San Francisco. Affordable housing production in the City has averaged approximately 350 units per year during the past ten years. However, the demand for new affordable housing is approximately 1,300 units per year. The City needs 64,000 new housing units to relieve the City's existing housing shortage of units affordable to low income households, to reduce overcrowding and unfair costs, and to accommodate persons with special housing needs.

The Residence Element of the San Francisco Master Plan calls for the provision of additional housing to accommodate the demands of new residents attracted here by expanding employment opportunity made available by growth of office use in the City. The City should impose requirements on developers of office projects designed to mitigate the adverse effects of the expanded employment facilitated by such projects. To that end, the City Planning Commission is authorized affirmatively to promote the policies of the Residence Element of the San

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Francisco Master Plan through the imposition of special housing development requirements.

It is desirable to impose the cost of the increased burden of providing housing necessitated by such office development projects directly upon the sponsor of new development generating the need through a requirement that the sponsor construct housing or pay a fee to the City to subsidize housing development as a condition of the privilege of development and to assist the community in solving those of its housing problems generated by the development.

The required housing exaction shall be based upon formulae derived in the report entitled "The Economic Basis for an Office Housing Production Program in San Francisco," prepared by Recht, Hausrath & Associates, dated July 19, 1984. The housing exaction shall also be based on the "Analysis of the OAHPP Formula" prepared by the Department of City Planning dated November 1994, which confirms the present validity of the conclusions reached in the Recht Hausrath report. The "Analysis of the OAHPP Formula" also demonstrates the validity of (1) the nexus between new office development and the increased demand for housing in the City, and (2) the numerical relationship

between new office development and the formulas for provision of housing set forth in this ordinance.

Because the shortage of affordable housing created by office development in the City can be expected to continue for many years, it is necessary to maintain the affordability of the housing units constructed by office developers under this program. In order to maintain the long-term affordability of such housing, the City is authorized to enforce affordability requirements through mechanisms such as shared appreciation mortgages, deed restrictions, enforcement instruments, and rights of first refusal exercisable by the City at the time of resale of housing units built under the program.

SEC. 313.3. APPLICATION.

(1) This Ordinance shall apply to office development projects proposing the net addition of 25,000 or more gross square feet of office space.

(2) This Ordinance shall not apply to:

(A) Any development project other than an office development project, including that portion of an office development project consisting of a retail use;

(B) That portion of an office development project located on property owned by the United States or any of its agencies or leased by the United States or any of its agencies for a period in excess of 50 years, with the exception of such property not used exclusively for a governmental purpose;

(C) That portion of an office development project located on property owned by the State of California or any of its agencies, with the exception of such property not used exclusively for a governmental or educational purpose;

(D) That portion of an office development project located on property under the jurisdiction of the San Francisco Redevelopment Agency or the Port of San Francisco where the application of this Ordinance is prohibited by California or local law;

(E) Any office development project approved by the Planning Commission prior to August 18, 1985 that was not subject to the Interim Guidelines; or

(F) Any office development project approved by the Planning Commission prior to August 18, 1985 that was subject to the Interim Guidelines. If the action of the Planning Commission affecting such office development project is thereafter modified, superseded, vacated, or reversed by the

Board of Permit Appeals, the Board of Supervisors, or by court action in a manner affecting the amount of housing required under the Interim Guidelines, the permit application on remand to the Planning Commission shall remain subject to the Interim Guidelines.

SEC. 313.4. IMPOSITION OF HOUSING REQUIREMENT.

(1) The City Planning Department or the City Planning Commission shall impose conditions on the approval of applications for office development projects covered by this Ordinance in order to mitigate the impact on the availability of housing which will be caused by the employment facilitated by the proposed office development project. The conditions shall require that the applicant pay a housing developer to construct housing or pay an in-lieu fee to the City Controller which shall thereafter be used exclusively for the development of housing affordable to households of lower or moderate income.

(2) Prior to either the Department's or the Commission's approval of a building or site permit for an office development project subject to this Ordinance, the Department shall issue a notice complying with Planning Code Section 306.3 setting forth

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its initial determination of the net addition of gross square feet of office space subject to this Ordinance.

(3) Any person may appeal the initial determination by delivering an appeal in writing to the Department within 15 days of such notice. If the initial determination is not appealed within the time allotted, the initial determination shall become a final determination. If the initial determination is appealed,

the Commission shall schedule a public hearing prior to the approval of the development project by the Department or the Commission to determine the net addition of gross square feet of office space subject to this Ordinance. The public hearing may be scheduled separately or simultaneously with a hearing under City Planning Code Sections 306.2, 309(h), 314.5, or a Discretionary Review hearing under San Francisco Municipal Code Section 26. The Commission shall make a final determination of the net addition of gross square feet at the hearing.

(4) The final determination of the net addition of gross square feet of office space subject to this Ordinance shall be set forth in the conditions of approval of any building or site permit application approved by the Department or the Commission. The Director shall notify the Superintendent that an office

development project is subject to this Ordinance at the time the Department or the Commission approves the building or site permit for the office development project.

(5) In the event that the Department or the Commission takes action affecting any office development project subject to this Ordinance and such action is thereafter modified, superseded, vacated, or reversed by the Board of Permit Appeals, the Board of Supervisors, or by court action, the permit application for such office development project shall be remanded to the Commission to determine whether the proposed project has been changed in a manner which affects the calculation of the amount of housing required under this Ordinance and, if so, the Commission shall revise the housing requirement imposed on the permit application in compliance with this Ordinance within 60 days of such remand and notify the sponsor in writing of such revision or that a revision is not required.

(6) The sponsor shall supply all information to the Department and the Commission necessary to make a determination as to the applicability of this Ordinance and the number of gross square feet of office space subject to this Ordinance.

(7) The sponsor or any office development project subject to this Ordinance shall have the option of:

(A) Contributing a sum equal to or greater than the in-lieu fee according to the formula set forth in Section 313.6 to one or more housing developers who will use the funds to construct housing units pursuant to Section 313.5; or

(B) Paying an in-lieu fee to the Controller according to the formula set forth in Section 313.6; or

(C) Combining the above options pursuant to Section 313.7.

SEC. 313.5. COMPLIANCE THROUGH PAYMENT TO HOUSING DEVELOPER. (1) If the sponsor elects to pay a sum equivalent to the in-lieu fee to one or more housing developers to meet the requirements of this Ordinance, the housing developer(s) shall be required to construct at least the number of housing units determined by the following formula:

Net Addition Gross Sq. Ft. Office Space x .000386 = Housing Units

Sixty-two percent of those housing units required to be constructed under the above formula must be affordable to

qualifying households continuously for 50 years. If the sponsor elects to contribute to more than one distinct housing development under this Section, the sponsor shall not receive credit for its monetary contribution to any one development in excess of the amount of the in-lieu fee, as adjusted under Section 313.6, multiplied by the number of units in such housing development.

(2) Within one year of the final determination under Section 313.4(3) or a revised final determination under Section 313.4(5), or prior to the issuance by the Superintendent of the first site or building permit for an office development project subject to this Ordinance, whichever occurs first, the sponsor shall submit to the Director:

(A) A written housing development plan identifying the housing project(s) to receive funds from the sponsor and the proposed mechanism for enforcing the requirement that 62 percent of the housing units constructed will be affordable to qualifying households for 50 years; and

(B) A certification that the sponsor has made a binding commitment to contribute an amount to one or more housing developer(s) equivalent to or greater than the amount of the in-lieu fee that would otherwise be required under Section 313.6

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and that the housing developer(s) shall use such funds to develop the housing subject to this Section.

If the sponsor fails to comply with these requirements within one year of the final determination or revised final determination, it shall be deemed to have elected to pay the in-lieu fee under Section 313.6 to comply with this Ordinance. In the event that the sponsor fails to pay the in-lieu fee within the time required by Section 313.6, the Superintendent shall deny any and all site or building permits or certificates of occupancy for the office development project until the Director notifies the Superintendent that such payment has been made and the Director shall immediately initiate lien proceedings against the sponsor's property pursuant to Section 313.9 to recover the fee.

(3) Within 30 days after the sponsor has submitted a written housing development project plan to the Director under Part (2) of this Section, the Director shall notify the sponsor in writing of his or her initial determination as to whether the plan is in compliance with this Section, publish the initial determination in the next Planning Commission calendar, and cause a public notice to be published in an official newspaper of general circulation stating that such housing development

plan has been received and stating the Director's initial determination. Within 10 days after such written notification and published notice, the sponsor or any other person may request a hearing before the Commission to contest such initial determination. If the Director receives no request for a hearing within such 10-day period, the determination of the Director shall become a final determination. Upon receipt of any timely request for hearing, the Director shall schedule a hearing before the Commission within 30 days. The scope of the hearing shall be limited to the compliance of the housing development plan with this Section, and shall not include a challenge to the amount of the housing requirement imposed on the office development project by the Department or the Commission. At the hearing, the Commission may either make such revisions of the Director's initial determination as it may deem just, or confirm the Director's initial determination. The Commission's determination shall then become a final determination, and the Director shall provide written notice of the final determination to the sponsor and to any person who timely requested a hearing of the Director's determination. The Director shall also provide written notice to the Superintendent that the housing

units to be constructed pursuant to such plan are subject to this Ordinance.

(4) In making a determination as to whether a sponsor's housing development plan complies with this Section, the Director and the Commission shall credit to the sponsor any excess Interim Guideline credits or excess credits which the sponsor elects to apply against its housing requirement. The remaining housing units required shall be subject to the requirements of Part (1) of this Section.

(5) With respect to office development projects receiving a project authorization from the Commission under Planning Code Section 322 after January 1, 1990, prior to the issuance by the Superintendent of the first site or building permit for an office development project subject to this Section, the sponsor must:

(A) Provide evidence to the Director in writing that it has paid in full the sum required by Part (1) of this Section to one or more housing developers;

(B) Notify the Director that construction of the housing units has commenced, evidenced by:

1) The City's issuance of site and building permits for the entire housing development project,

2) Written authorization from the housing developer and the construction lender that construction may proceed,

3) An executed construction contract between the housing developer and a general contractor, and

4) The issuance of a performance bond enforceable by the construction lender for 100 percent of the replacement cost of the housing project; and

(C) Provide evidence satisfactory to the Director that 62 percent of the units required to be constructed will be affordable to qualifying households for 50 years through an enforcement mechanism approved by the Director pursuant to Parts (2) through (4) of this Section.

With respect to office development projects receiving a project authorization before January 1, 1990, the sponsor shall be required to comply with conditions (A) through (C) above prior to the issuance by the Superintendent of the first certificate of occupancy for the office development project. The Superintendent shall provide notice in writing to the Director at least five business days prior to issuance of the first site or building permit, or, in the case of projects approved before January 1, 1990, the first certificate of occupancy, for any office development project for which the sponsor elects to pay a

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sum to one or more housing developers. If the Director notifies the Superintendent within the five business days that the conditions of (A) through (C) of this subsection have not been met, the Superintendent shall refuse any and all site or building permits or certificates of occupancy for the office development project. If the Director notifies the Superintendent that the sponsor has complied with these conditions or fails to respond within five business days, the Superintendent shall not disapprove a site or building permit or certificate of occupancy pursuant to this Section. Any failure of the Superintendent or the Director to give any notice under this Section shall not relieve a sponsor from compliance with this Section. Where the Superintendent issues any site or building permit or certificate of occupancy for the office development project in error, the Director shall initiate lien proceedings against the office development project under Section 313.9, and the Superintendent shall revoke any permit or certificate issued in error and refuse any site or building permit or certificate of occupancy until the sponsor has complied with this Section.

(6) Within three months of the effective date of this Ordinance, the Director is hereby directed to prepare and

publish written guidelines by which compliance with this Section shall be determined.

(7) Where the sponsor elects to pay a sum equivalent to the in-lieu fee to one or more housing developers, the sponsor's responsibility for completing construction of and maintaining the affordability of housing units constructed ceases from and after the date on which:

(A) The conditions of (A) through (C) of Part (5) of this Section have been met; and

(B) A mechanism has been approved by the Director to enforce the requirement that 62 percent of the housing units constructed will be affordable to qualifying households continuously for 50 years.

SEC. 313.6. COMPLIANCE THROUGH PAYMENT OF IN LIEU FEE.

(1) Commencing on January 1, 1995, the amount of the fee which may be paid by the sponsor of an office development project in lieu of developing and providing the housing required by Section 313.5 shall be computed as follows:

Net Addition Gross Sq. Ft. Office Space X $7.05 = Total Fee

Such in-lieu fee shall be revised effective January 1st of each year, commencing on January 1, 1996, by the percentage increase or decrease in the Average Area Purchase Price Safe Harbor Limitations for New Single-Family Residences for the San Francisco Primary Metropolitan Statistical Area (PMSA) established by the Internal Revenue Service (IRS) since January 1st of the previous year; provided, however, that in the event that said percentage increase exceeds 20 percent, the in-lieu fee shall be increased by 20 percent, and the difference between the percentage increase in the Average Area Purchase Price and 20 percent shall be carried over and added to the in-lieu fee adjustment for the following calendar year. In the event that the IRS does not adjust the above figure within a 14-month period, the Commission may authorize and certify a study for adjusting the last published IRS figure, to be effective until the IRS revises the figure. In making a determination as to the amount of the fee to be paid, the Director shall credit to the sponsor any excess Interim Guideline credits or excess credits which the sponsor elects to apply against its housing requirement.

(2) With respect to office development projects approved after January 1, 1990, prior to the issuance by the Superintendent of the first site or building permit for an office development project subject to this Ordinance, the sponsor must notify the Director in writing that it has paid in full the sum required by this Section to the Controller. With respect to office development projects approved before January 1, 1990, if the sponsor has not satisfied conditions (A) through (C) of Section 313.5(5), the sponsor shall be required to notify the Director in writing that it has paid in full the sum required by this Section prior to the issuance by the Superintendent of the first certificate of occupancy for the office development project. If the sponsor fails by the applicable date to demonstrate to the Director that the payment has been made in full, the Superintendent shall deny any and all site or building permits or certificates of occupancy for the office development project until the Director notifies the Superintendent that such payment has been made, and the Director shall immediately initiate lien proceedings against the sponsor's property pursuant to Section 313.9 to recover the fee.

(3) Upon payment of the fee in full to the Controller and upon request of the sponsor, the Controller shall issue a

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certification that the fee has been paid. The sponsor shall present such certification to the Director prior to the issuance by the Superintendent of the first site or building permit or certificate of occupancy for the office development project. The Superintendent shall provide notice in writing to the Director at least five business days prior to issuing the first site or building permit or certificate of occupancy for any office development project subject to this Section. If the Director notifies the Superintendent within such time that the sponsor has not complied with the provisions of this Section, the Superintendent shall deny any and all site or building permits or certificates of occupancy. If the Director notifies the Superintendent that the sponsor has complied with this Section, or fails to respond within five business days, a site or building permit or certificate of occupancy shall not be disapproved pursuant to this Section. Any failure of the Superintendent or the Director to give any notice under this Section shall not relieve a sponsor from compliance with this Section. Where the Superintendent issues any site or building permit or certificate of occupancy for the office development project in error, or where a sponsor fails for any reason to pay

the in-lieu fee to the Controller in compliance with this Section prior to the Superintendent's issuance of the first site or building permit or certificate of occupancy for the office development project, the Director shall immediately initiate lien proceedings against the office development project under Section 313.9 to recover the fee, and the Superintendent shall revoke any permit or certificate issued in error and refuse any site or building permit or certificate of occupancy until the sponsor has complied with this Section.

SEC. 313.7. COMPLIANCE THROUGH COMBINATION OF PAYMENT TO HOUSING DEVELOPER AND PAYMENT OF IN LIEU FEE.

The sponsor of an office development project may elect to satisfy its housing requirement by a combination of paying money to one or more housing developers under Section 313.5 and paying a partial amount of the in-lieu fee to the Controller under Section 313.6. In the case of such election, the sponsor must pay a sum such that each gross square foot of net addition of office space is accounted for in either the payment of a sum to one or more housing developers or the payment of a fee to the Controller. The housing units constructed by a housing developer must conform to all requirements of this Ordinance,

including, but not limited to, the proportion that must be affordable to qualifying households as set forth in Section 313.5. All of the requirements of Sections 313.5 and 313.6 shall apply, including the requirements with respect to the timing of issuance of site and building permits and certificates of occupancy for the office development project and payment of the in-lieu fee.

SEC. 313.8. TRANSFER OF HOUSING CREDITS.

(1) In determining whether a sponsor is in compliance with this Ordinance, the Director or the Commission shall credit against all or part of a housing requirement for any sponsor of any office development project credits, which shall be denominated "excess Interim Guidelines credits," obtained by the sponsor which:

(A) Have received final approval under the Interim Guidelines as of August 18, 1985, but which have not been applied to an office development project because the office development project has not been approved by the Director or the Commission or which are in excess of those credits required to satisfy the housing requirement under the Interim Guidelines; or

(B) Have received preliminary approval prior to August 18, 1985, received final approval within six months of August 18, 1985, and are in excess of those credits required to satisfy the housing requirement under the Interim Guidelines or this Ordinance. This six-month period may be extended for a maximum of two six-month periods where, based upon evidence submitted by the sponsor, the Director or Planning Commission determine within six months of August 18, 1985, or within a six-month extension, that (1) there is good cause for an extension or an additional extension, (2) the failure to obtain final approval of credits is beyond the sponsor's immediate control, and (3) the sponsor has made a reasonable effort to obtain final approval of credits.

Excess Interim Guideline credits may be applied against a sponsor's housing requirement under this Ordinance on the basis of two and three tenths (2.3) excess Interim Guideline credits against one housing unit required to be provided under Section 313.5. Excess Interim Guideline Credits may be applied against a sponsor's housing requirement under this Ordinance only for those projects obtaining project authorizations as defined in Planning Code Section 320(h) in the approval period ending within 34 months following the effective date of this Ordinance.

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No excess Interim Guideline Credits may be applied against a sponsor's housing requirement for any project authorization issued after that date.

(2) In making their determination as to whether a sponsor's housing development plan complies with Sections 313.5, 313.6, and 313.7, the Director or the Commission shall credit to the sponsor any housing units constructed or in-lieu fee paid in excess of that required to satisfy the housing unit requirement under this Ordinance, which shall be denominated "excess credits." The Director or the Commission shall permit the transfer of any excess credits received under this Ordinance to be applied to satisfy all or part of a housing requirement for any other office development project that is subject to the provisions of this Ordinance. Each excess credit shall be equivalent to one housing unit as computed under Section 313.5, or a payment of $18,264.25 if the sponsor elects to pay a sum to a housing developer under Section 313.5 or an in-lieu fee under Section 313.6. The sum of $18,264.25 shall be revised effective January 1st of each year concurrently and in accordance with the same procedures used for the revision of the in-lieu fee in Section 313.6. Excess credits may be obtained only under Section 313.11 or if:

(A) They have been obtained after the commencement of construction of housing in compliance with all of the requirements of Section 313.5, the payment of a sum to one or more housing developers in compliance with all of the requirements of Section 313.5, or payment of an in-lieu fee to the Controller in compliance with all of the requirements of Section 313.6 or a combination of the above under Section 313.7. Compliance with these sections requires construction of the total number of housing units required, the percentage of such units which must be affordable to qualifying households, and the establishment of a mechanism approved by the Director to enforce the requirement that 62 percent of the units constructed will be affordable for 50 years to qualifying households; and

(B) The excess credits result from either:

1) Abandonment of the office development project that received approval by the Commission as evidenced by cancellation of the site or building permit or the site or building permit application; or

2) A decrease in the net addition of gross square feet of office space as a result of Commission, Board of Permit Appeals, Board of Supervisors, or court action taken after:

a) The amount of such net addition of gross square feet has been determined by the Commission under Section 313.4; and

b) The sponsor has paid a sum to one or more housing developers and construction of the housing units has commenced under Section 313.5, or the sponsor has paid an in-lieu fee under Section 313.6, or a combination of the above under Section 313.7.

Excess credits may be applied against a sponsor's housing requirement under this Ordinance only for those applications for a building or site permit filed within three years of the date on which the excess credits are issued. The date on which such excess credits are issued shall be the earlier of the sponsor's abandonment of the office development project under which the credits were obtained as evidenced by the cancellation of the site or building permit or the site or building permit application, the commencement of construction of each of the housing units under Section 313.5, or the payment of the in-lieu fee under Section 313.6 with respect to such credits. No excess credits may be applied against a sponsor's housing requirement for any application for a building or site permit filed after that date.

(3) If the number of excess credits or excess Interim Guidelines credits held by a sponsor is not sufficient to satisfy the entire housing requirement of that sponsor's office development project subject to the provisions of this Ordinance, including, but not limited to the requirement that a percentage of the housing units must be affordable to qualifying households, then the balance of the housing requirement shall be satisfied in accordance with the provisions of this Ordinance, including the requirement set forth in Section 313.5 that 62 percent of the units constructed must be affordable to qualifying households.

(4) Excess credits and excess Interim Guideline credits may be transferred from one sponsor to another only if:

(A) The Director has been notified in writing of the proposed transfer of the credits;

(B) The Director has determined that the transferor sponsor has obtained the credits through meeting the requirements of either Part (1) or (2) of this Section; and

(C) The transfer is made in writing, a true copy of which is provided to the Director.

(5) The City makes no warranties that any excess credits or excess Interim Guidelines credits will be marketable during

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the period in which this Ordinance is in effect or thereafter. The City makes no warranties that an applicant possessing excess credits or excess Interim Guidelines credits is entitled to Commission approval of an office development project subject to this Ordinance.

SEC. 313.9. LIEN PROCEEDINGS.

(1) A sponsor's failure to comply with the requirements of Sections 313.5, 313.6 and 313.7 shall constitute cause for the City to record a special assessment lien against the office development project in the sum of $18,264.25 for each housing unit required under this Ordinance. The amount of the lien per unit shall be revised annually according to the formula in Section 313.6.

(2) The Director shall initiate proceedings to impose the special assessment lien by preparing a preliminary report notifying the sponsor of a special assessment hearing to confirm such report by the Board of Supervisors at least 10 days before the date of the hearing. The report to the sponsor shall contain the sponsor's name, a description of the sponsor's office development project, a description of the parcels of real property to be encumbered as set forth in the Assessor's Map

Books for the current year, a description of the alleged violation of this Ordinance, and shall fix a time, date, and place for hearing. The Director shall cause this report to be mailed to each owner of record of the parcels of real property to be assessed.

(3) At the hearing fixed for consideration of the report, the Board of Supervisors shall hear the report with any objections of the owners of the parcels liable to be assessed. The Board of Supervisors may make such revisions, corrections or modifications of the report as it may deem just. In the event that the Board of Supervisors is satisfied with the correctness of the report as submitted or as revised, corrected or modified, it shall be confirmed as a final report. Any delinquent account may be removed from the report by payment in full at any time prior to confirmation of a final report. The Director shall cause the confirmed report to be verified in form sufficient to meet recording requirements.

(4) Upon confirmation of the report by the Board of Supervisors, the delinquent charges contained therein shall constitute a special assessment against the parcel or parcels used in the office development project. Each such assessment shall be subordinate to all existing special assessment liens

previously imposed upon such parcels and paramount to all other liens except those for State, County, and municipal taxes with which it shall be upon parity. The lien shall continue until the assessment and all interest due and payable thereon are paid to the Tax Collector of the City. All laws applicable to the levy, collection, and enforcement of municipal taxes shall be applicable to said special assessment.

(5) The Director shall cause the confirmed and verified report to be recorded in the County Recorder's Office and the special assessment lien on each parcel of property described in said report shall carry additional charges for administrative expenses of $50 or 10 percent of the amount of the unpaid balance, whichever is greater, plus interest at a rate of 1 1/2 percent per full month compounded monthly from the date of the recordation of the lien on all charges due.

(6) The Director shall file a certified copy of each confirmed final report with the Controller and Tax Collector within 10 days after confirmation of the report, whereupon it shall be the duty of said officers to add the amount of said assessment to the next regular bill for taxes levied against said parcel or parcels of land for municipal purposes, and thereafter said amount shall be collected at the same time and

in the same manner as City and County of San Francisco taxes are collected, and shall be subject to the same procedure under foreclosure and sale in case of delinquency as provided for property taxes of the City and County of San Francisco. Except for the release of lien recording fee authorized below, all sums collected by the Tax Collector pursuant to this Ordinance shall be held in trust by the Treasurer and deposited in the Citywide Affordable Housing Fund established in Section 313.12.

(7) On payment to the Tax Collector of the special assessment, the Tax Collector shall cause to be recorded a release of lien with the County Recorder, and from the sum collected pursuant to Part (1) of this Section, shall pay to the county recorder a recording fee of $6.

(8) Any notice required to be given to a sponsor or owner shall be sufficiently given or served upon the sponsor or owner for all purposes hereunder if personally served upon the sponsor or owner or if deposited, postage prepaid, in a post office letterbox addressed in the name of the sponsor or owner at the official address of the sponsor or owner maintained by the Tax Collector for the mailing of tax bills or, if no such address is available, to the sponsor at the address of the office development project.

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APR 17 1995

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SEC. 313.10. IN-LIEU FEE REFUND WHEN BUILDING PERMIT EXPIRES PRIOR TO COMPLETION OF WORK AND COMMENCEMENT OF OCCUPANCY.

In the event a building permit expires prior to completion of the work on and commencement of occupancy of an office development project so that it will be necessary to obtain a new permit to carry out any development, the obligation to comply with this Ordinance shall be cancelled, and any in-lieu fee previously paid to the Controller shall be refunded. If and when the sponsor applies for a new permit, the procedures set forth in this Ordinance regarding construction of housing or payment of the in-lieu fee shall be followed.

SEC. 313.11. ONE-TIME FEE PAYMENT. In the event that an office development project for which housing units have been constructed or an in-lieu fee has been fully paid is demolished or converted to non-office use prior to the expiration of its estimated useful life, the City shall (1) grant to the sponsor excess credits transferable under Section 313.8 for a portion of any housing units actually constructed and for which a certificate of occupancy has been issued, or (2) refund to the

sponsor a portion of the amount of an in-lieu fee paid. The portion of excess credits granted or the fee refunded shall be determined on a pro rata basis according to the ratio of the remaining useful life of the project at the time of demolition or conversion in relation to its total useful life. For purposes of this Ordinance, the useful life of an office development project shall be 50 years.

REC'D.

JAN 2 9 1996

Dept. of City Planning
Plans & Programs

SEC. 313.12. AFFORDABLE HOUSING FUND.

All monies contributed pursuant to Sections 313.6 or 313.7 or assessed pursuant to Section 313.9 shall be deposited in the special fund maintained by the Controller called the Citywide Affordable Housing Fund ("Fund"). The receipts in the Fund are hereby appropriated in accordance with law to be used solely to increase the supply of housing affordable to qualifying households subject to the conditions of this Section. The Fund shall be administered and expended by the Director, who shall have the authority to prescribe rules and regulations governing the Fund which are consistent with this Ordinance. No portion of the Fund may be used, by way of loan or otherwise, to pay any administrative, general overhead, or similar expense of any entity, except that $100,000 from the Fund shall be allocated by

the Director within six months following the effective date of this Ordinance to update the Recht Hausrath report dated July 1984 and the Department of City Planning report dated November 1994 referred to in Section 313.2 to show the relationship between office and other commercial development and housing demand.

SEC. 313.13. DIRECTOR'S EVALUATION. Within 18 months following the effective date of this Ordinance, the Director shall report to the Commission, the Board of Supervisors, and the Mayor the results of the study to be financed by $100,000 from the Affordable Housing Fund as set forth in Section 313.12 and recommend whether the Office Affordable Housing Production Program Ordinance should be amended. The Director shall also report on an annual basis on the status of compliance with this Ordinance and the efficacy of this Ordinance in mitigating the City's shortage of affordable housing available to employees working in office development projects subject to this Ordinance.

SEC. 313.14. PARTIAL INVALIDITY AND SEVERABILITY. If any provision of this Ordinance, or its application to any office development project or to any geographical area of the City, is

held invalid, the remainder of the Ordinance, or the application of such provision to other office development projects or to any other geographical areas of the City, shall not be affected thereby.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

RECOMMENDED:

By _____
LUCIAN BLAZEJ
Director of Planning

FUNDS AVAILABLE:

By _____
Controller

DOCUMENTS
APR 17 1995
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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1996	March 25, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki
Absent: Supervisor Leal	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 115-95-16

MAR 2 8 1996
Date Approved

Mayor

FILE NO. 36-96-1 ORDINANCE NO. 121-96

ADOPTING CHANGES IN LAND USE CLASSIFICATIONS AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPERTY LOCATED AT 2789 25TH STREET, LOT 13 IN ASSESSOR'S BLOCK 4277 FROM "P" PUBLIC USE DISTRICT TO M-1, LIGHT INDUSTRIAL DISTRICT AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

	Use District to be Superseded	Use District Hereby Approved
Beginning at a point on the easterly line of Potrero Avenue, distant thereon 98 feet southerly from the southerly line of Twenty-fifth Street; running thence easterly parallel with the southerly line of Twenty-Fifth Street 200 feet to the westerly line of Utah Street, as shown upon the map thereof recorded in the office of the Recorder of the City and County of San Francisco, State of California, on July 10, 1926, in Book "K" of Maps, at Page 65; thence southerly along said line of Utah Street 53 feet and 10 inches to an angle point therein; thence westerly parallel with the southerly line of Twenty-fifth Street 200 feet to the easterly line of Potrero Avenue; thence northerly along said line of Potrero Avenue, 53 feet and 10 inches to the point of beginning.	P (Public Use) District	M-1 (Light Industrial) District

Section 2. Pursuant to Planning Code Section 101.1, this Board of Supervisors adopts City Planning Commission Resolution No. 14048 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:

LOUISE RENNE, CITY ATTORNEY

By Judith A. Boyajian
Deputy City Attorney

RECOMMENDED:

CITY PLANNING COMMISSION

By L. P. Blazej
Lucian Blazej
Director of Planning

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 18, 1996	$	March 25, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki	$	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki
	$	
Absent: Supervisor Leal	$	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 36-96-1

MAR 2 8 1996
Date Approved

Mayor

FILE NO. 115-96-3 ORDINANCE NO. 122-96

AMENDING PART II, CHAPTER OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADDING SECTION 249.16 TO CREATE THE OAKDALE AVENUE AND QUINT STREET AFFORDABLE HOUSING SPECIAL USE DISTRICT, AND FINDING CONSISTENCY WITH PLANNING CODE 101.1.

Note: The entire section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Article 2, Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Section 249.16 to read as follows:

SECTION 249.16 OAKDALE AVENUE AND QUINT STREET AFFORDABLE HOUSING SPECIAL USE DISTRICT. In order to provide affordable rental housing opportunities for low-income households for elderly or disabled persons there shall be an Oakdale Avenue and Quint Street Affordable Special Use District, consisting of Lots 14 and 15 in Assessor's Block 5320, a rectangular parcel beginning at the southeasterly corner of Oakdale Avenue and Quint Street, thence easterly 50 feet along the southerly line of Oakdale Avenue for a uniform depth of 92.50 feet, as designated on Sectional Map No. SU10 of the Zoning Map. The following provisions shall apply within such special use district.

(a) Any developer of housing who agrees to construct at least 50 percent of the total units of a housing development for elderly or disabled persons or families of low or moderate income shall be entitled to a density double that otherwise permitted for the subject property "Persons or families of low or moderate income" shall be as defined in Sections 50079.5, 50093 and 50105 of the Health and Safety Code."

(b) In this district all of the provisions of the City Planning Code for residential development shall continue to apply, including setback, rear yard, open space, height and bulk, and off-street parking standards.

(c) The controls of this Section shall remain in effect until December 31, 1999.

Section 2. This amendment is consistent with the priority policies set forth in Section 101.1 of the S.F. Planning Code, for the reasons set forth in City Planning Commission Resolution 14045.

APPROVED AS TO FORM
LOUISE H. RENNE
City Attorney

Judith A. Boyajian
Deputy City Attorney

L. R. Blazej
Lucian R. Blazej
Director of Planning

DOCUMENTS DEPT
APR 17 1996
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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 18, 1996	§	March 25, 1996
	§	
	§	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki	§	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki
	§	
Absent: Supervisor Leal	§	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
115-96-3

MAR 2 8 1996
Date Approved

Mayor

FILE NO. 121-96-5 ORDINANCE NO. 123-96

ERRATA

Correct lines 2 and 8 by changing "1183.27" to "1183.28" and by changing "1183.28" to "1183.29".

Correct line 9 by changing "1183.27" to "1183.28".

Correct line 11 by changing "1183.28" to "1183.29".

John L. Taylor
Clerk of the Board
April 22, 1996

BOARD OF SUPERVISORS

FILE NO. 121-96-5 ORDINANCE NO. 123-96

[Tour Bus Restrictions]

4/22/96 rt

ADDING SECTIONS ~~1183.27~~ 1183.28 AND ~~1183.28~~ 1183.29 TO THE SAN FRANCISCO POLICE CODE, ADDING TO THE LIST OF STREETS UPON WHICH A TOUR BUS RESTRICTION SHALL APPLY.

Note: These sections are new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Police Code is hereby amended by adding Sections ~~1183.27~~ 1183.28 and ~~1183.28~~ 1183.29 thereto to read as follows:

SECTION ~~1183.27~~ 1183.28. **Restricted Areas.** Green Street, between Polk and Mason Streets.

SECTION ~~1183.28~~ 1183.29. **Restricted Areas.** Vallejo Street, between Polk and Mason Streets.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

RECOMMENDED:

John E. Newlin, Director
Department of Parking and Traffic

SUPERVISORS TENG, BIERMAN

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1996	March 25, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki
Absent: Supervisor Leal	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 121-96-5

MAR 2 8 1996
Date Approved

Mayor

FILE NO. 124-96-3 ORDINANCE NO. 124-96

[Commercial Vehicle Weight Restrictions]

ADDING SECTIONS 28.5.49 AND 28.5.50 TO THE SAN FRANCISCO TRAFFIC CODE, ADDING TO THE LIST OF STREETS UPON WHICH A COMMERCIAL VEHICLE WEIGHT RESTRICTION SHALL APPLY.

Note: These sections are new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Traffic Code is hereby amended by adding Sections 28.5.49 and 28.5.50 thereto to read as follows:

SECTION 28.5.49. Green Street, between Polk and Mason Streets.

SECTION 28.5.50. Vallejo Street, between Polk and Mason Streets.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

RECOMMENDED:

_____
John E. Newlin, Director
Department of Parking and Traffic

SUPERVISORS TENG, BIERMAN

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 18, 1996	March 25, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki
Absent: Supervisor Leal	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 124-96-3

MAR 2 8 1996
Date Approved

_____
Mayor

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FILE NO. 36-96-2 ORDINANCE NO. 125-96

(Zoning Map Amendments for Oakdale Avenue and Quint Street)

ADOPTING CHANGES IN PROPERTY USE DISTRICTS RECLASSIFICATION AS AMENDMENTS TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO CONCERNING PROPERTIES LOCATED AT THE SOUTHEASTERLY CORNER OF OAKDALE AVENUE AND QUINT STREET, LOTS 14 AND 15 IN ASSESSOR'S BLOCK 5320 FROM AN RH-2 (RESIDENTIAL HOUSE, TWO-FAMILY) DISTRICT TO AN RH-2 DISTRICT AND THE OAKDALE AVENUE AND QUINT STREET AFFORDABLE HOUSING SPECIAL USE DISTRICT; AND FINDING CONSISTENCY WITH THE MASTER PLAN PRIORITY POLICIES IN SECTION 101.1 OF THE CITY PLANNING CODE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 302(c) of the Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following changes in property use classifications are duly approved by resolution of the City Planning Commission, and hereby adopted as amendments to Sectional Map 10SU of the Zoning Map of the City and County of San Francisco.

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//

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Descriptions of Property	Use District to be Superseded	Use District to be Approved
Assessor's Block/Lots: 5320/14 and 15	RH-2	RH-2 and Oakdale Avenue and Quint Street Affordable Housing Special Use District

//

Section 2. Pursuant to Section 101 of the Code the Board of Supervisors adopts City Planning Commission Resolution No. 14045 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

//

//

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By Judith A. Bayajian
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By R. Blazej
Lu Blazej
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 18, 1996	$	March 25, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Migden Shelley Teng Yaki	$	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki
	$	
Absent: Supervisor Leal	$	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
36-96-2

MAR 2 8 1996
Date Approved

Mayor

FILE NO. 121-94-10 ORDINANCE NO. 126-96

(Vehicle Alarms)

AMENDING ARTICLE 37 OF CHAPTER VII OF THE MUNICIPAL CODE (POLICE CODE), BY AMENDING SECTION 3703 THEREOF, TO DECREASE THE LENGTH OF TIME AN AUDIBLE VEHICLE ALARM SYSTEM MAY SOUND.

Note: Additions or substitutions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Article 37 of Chapter VII of Part II of the Municipal Code (Police Code) is hereby amended by amending subsections (a) an (b) of Section 3703 thereof, to read as follows:

SEC. 3703. MOTOR VEHICLE ALARM SYSTEM. (a) No person shall install, cause to be installed, use, or operate ((A))an audible alarm system affixed to a motor vehicle ((shall be)) unless the alarm system is equipped with an automatic shutoff which shuts off the alarm within a maximum of ((15)) 5 minutes from the time of activation. Such alarm may not emit a sound similar to the sound emitted by sirens in use on emergency vehicles or to those used for civil defense purposes. For purposes of this Section, any variable tone, as opposed to one steady pitch, shall be considered similar to the sound emitted by an emergency vehicle siren.

(b) The police department is authorized to abate the nuisance of an audible alarm system affixed to a motor vehicle which sounds beyond ((15)) 5 minutes by using any means necessary to disconnect the vehicle alarm; provided, however, that a police officer shall attempt to contact the vehicle's owner, by telephone or otherwise, before disconnecting the alarm. The expense of disconnecting the alarm shall be a lien against the motor vehicle and shall be the personal obligation of the owner thereof.

(c) Except as provided in this Section, the provisions of this Article are otherwise not applicable to alarm systems affixed to motor vehicles. Audible vehicle alarms are, however, subject to the requirements of Article 29 which prohibits unnecessary, excessive and offensive noise from all sources.

/ / /

/ / /

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(d) A violation of Subsection (a) constitutes an infraction and is punishable by a fine not to exceed $20.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 25, 1996	April 1, 1996
Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki
Absent: Supervisor Alioto	Absent: Supervisors Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 121-94-10

APR 3 1996
Date Approved

_____
Mayor

FILE NO. 101-95-61 AS AMENDED IN COMMITTEE 03/20/96 ORDINANCE NO. 127-96

(Government Funding) RO#95120 SA#45

3/20/96 grh

$3,900,223

APPROPRIATING ~~$3,907,900~~ OF 1986 FIRE PROTECTION BOND INTEREST EARNINGS FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS AT THE FIRE DEPARTMENT FOR FISCAL YEAR 1995-96; PLACING $3,269,850 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
3C-FPS-86A	1986 Fire Dept. Facilities Project		
FC-FIR	Fire Department		
3/20/96 grh 999-09999 (315002)	Fund Balance	$3,900,223 ~~3,907,900~~	
060-06700 (310133)	Capital Improvement Project		
Proj. CFCFP6-PR1801	Repair Fireboat Phoenix		*$594,000
Proj. CFCFP6-PR1802	Motorized AWSS Control Valve		$2,492,021 ~~*$2,499,700~~
Proj. CFCFP6-PR1803	Repair AWSS Storage Tank		* $187,200
Proj. CFCFP6-PR1804	Repair AWSS Facilities		* $627,000
	Total	$3,900,223 ~~$3,907,900~~	$3,900,221 ~~$3,907,900~~

Section 2. Funds in the total amount of $3,269,850 are hereby placed on reserved for the following projects, pending selection of the construction contractors, submission of the cost details and the MBE/WBE status of the contractors: Fireboat Phoenix - $478,250, Motorized AWSS Control Valve - $2,015,000, AWSS Water Storage Tank Repair - $149,600. Reserve the amount of $627,000 for the Immediate Emergency Repair of AWSS Facilities, pending a determination of the need for such expenditures and submission of related budget details to the Budget Committee. All funds to be released by the Budget Committee.

BOARD OF SUPERVISORS

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

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BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 25, 1996	$	April 1, 1996
	$	
	$	
Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki	$	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki
	$	
Absent: Supervisor Alioto	$	Absent: Supervisors Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-61

APR 3 1996
Date Approved

Mayor

FILE NO. 45-96-15 ORDINANCE NO. 128-96

RO #95163

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF PAN MARINE CONSTRUCTORS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $26,293.30

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Pan Marine Constructors, Inc. vs. City and County of San Francisco", San Francisco Superior Court No. 961-083, by the payment of $26,293.30.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

ANN BRANSTON
Acting Director

FUNDS AVAILABLE:

EDWARD HARRINGHTON
Controller 03/21/96

APPROVED:

5C AAA AAA 90 00 00
DPWSBAAA0012 03599
$26,293.30

WILLIAM L. LEE
Chief Administrative Officer

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 25, 1996	April 1, 1996
Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki
Absent: Supervisor Alioto	Absent: Supervisors Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 45-96-15

APR 3 1996
Date Approved

Mayor

DOCUMENTS DEPT.

APR 24 1996

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FILE NO. 45-96-16 ORDINANCE NO. 129-96

RO #95167

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MICHAEL LAVELLA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $25,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Michael Lavella, et al., v. City and County of San Francisco, et al.," Superior Court No. 955-038 ~~955-039~~ by the payment of $25,000:

LOUISE H. RENNE
City Attorney

RECOMMENDED:

PATRICK J. MAHONEY
Chief Trial Deputy

FRED LAU
Chief of Police

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

1G AGF AAA 38 00 00
385026 05311 $25,000.00

02/28/96

APPROVED:

SECRETARY
Police Commission

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 25, 1996	$	April 1, 1996
	$	
	$	
Ayes: Supervisors Ammiano Bierman	$	Ayes: Supervisors Alioto Ammiano
Hsieh Kaufman Kennedy Leal	$	Bierman Hsieh Kaufman Kennedy
Migden Shelley Teng Yaki	$	Leal Yaki
	$	
Absent: Supervisor Alioto	$	Absent: Supervisors Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-96-16

APR 3 1996
Date Approved

Mayor

DOCUMENTS DEPT

APR 24 1996

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FILE NO. 93-96-1 ORDINANCE NO. 130-96

(Compensation)

ADOPTING AND IMPLEMENTING THE PROVISIONS OF AN ARBITRATOR'S AWARD INTERPRETING THE PROVISIONS OF THE MEMORANDUM OF UNDERSTANDING REGARDING THE COMPENSATION OF 5273 PRINCIPAL ARCHITECT; 5270 SENIOR ARCHITECT, 5268 ARCHITECT; 5266 ARCHITECTURAL ASSOCIATE II; 5265 ARCHITECTURAL ASSOCIATE I AND 5274 LANDSCAPE ARCHITECT BETWEEN THE INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS, LOCAL 21, AFL-CIO AND THE CITY AND COUNTY OF SAN FRANCISCO TO BE EFFECTIVE RETROACTIVE TO JULY 1, 1993 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the arbitrator's award dated December 4, 1995, resolving a long-standing dispute regarding the compensation of 5273 Principal Architect; 5270 Senior Architect, 5268 Architect; 5266 Architectural Associate II; 5265 Architectural Associate I and 5274 Landscape Architect and interpreting the provisions of the previously approved Memorandum of Understanding between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco The award so implemented shall be effective retroactive to July 1, 1993 through June 30, 1997 and is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 25, 1996	April 1, 1996
Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki
Absent: Supervisor Alioto	Absent: Supervisors Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 93-96-1

APR 3 1996
Date Approved

Mayor

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APR 24 1996
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FILE NO. 97-96-8.1 ORDINANCE NO. 131-96

[Transfer of Sick Leave and Vacation Benefits]

AMENDING CHAPTER 16, ARTICLE 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.9-29 THEREOF, RELATING TO THE TRANSFER OF SICK LEAVE AND VACATION BENEFITS TO CATASTROPHICALLY ILL EMPLOYEES, BY ELIMINATING THE LIMITATION ON THE MAXIMUM NUMBER OF HOURS THAT CAN BE TRANSFERRED TO AN EMPLOYEE FOR ANY SINGLE CATASTROPHIC ILLNESS.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article 1 of the San Francisco Administrative Code, is hereby amended by amending Section 16.9-29, to read as follows:

SEC. 16.9-29. TRANSFER OF SICK LEAVE AND VACATION CREDITS TO CATASTROPHICALLY SICK EMPLOYEES.

(a) PURPOSE. This section is enacted as a measure to permit the transfer of sick leave and vacation credits, as authorized by Charter Sections 8.364 and 8.441, respectively.

(b) DEFINITION OF CATASTROPHIC ILLNESS. In order to be declared catastrophically ill within the meaning of this section, an employee must meet all of the following conditions:

(1) The employee has sustained a life-threatening illness or injury; and

(2) The employee has already exhausted all available paid sick leave, vacation, compensatory and in-lieu time.

(c) ELIGIBILITY FOR RECEIPT OF TRANSFERS OF SICK LEAVE AND/OR VACATION CREDITS. Any employee of the City and County of San Francisco who is eligible to accumulate and use sick leave and vacation credits may receive transfers of sick leave and vacation credits pursuant to this section, if the employee has been found to meet the definition of catastrophically ill pursuant to the procedures prescribed in this section. This section only provides for receipt of such credits as are donated and does not provide for an absolute right of continued paid leave.

(d) PROCEDURE FOR APPLICATION FOR CATASTROPHIC ILLNESS STATUS.

(1) An employee must complete a prescribed application form and return it to the Department of Public Health, as indicated on the form, together with supporting medical documentation. The Department of Public Health shall produce and maintain sufficient quantities of the prescribed application for employee access and distribution.

(2) The Department of Public Health or its designee shall examine the documentation supporting the application. The Department of Public Health or its designee may ask the applicant to submit further documentation and/or to submit to examination by a physician that it designates to determine in fact that the applicant does suffer from a catastrophic illness within the meaning of these rules. An employee's failure to comply with these requirements may be grounds

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for rejection of the application.

(3) After the Department of Public Health makes its determination, it shall notify the employee and the employee's department head, and for vacation leave transfers the employee's department head must assent to the determination.

(4) In order to continue to qualify as catastrophically ill, an employee who has been determined to be catastrophically ill may from time to time be required (i) to submit to specified examination and/or (ii) to supply further documentation of current medical status, as is necessary in the opinion of the Department of Public Health or its designee in order to continue to qualify as catastrophically ill; provided, however, that such request shall not be made for the purpose of harassing said employee.

(5) If an employee is determined not to be catastrophically ill, the employee shall have a right to appeal the decision through an administrative appeal process to be established by the Public Health Commission, which shall include the right to review by the Director of the Department of Public Health and, finally, a hearing before the Public Health Commission. The Department of Public Health shall automatically provide the employee with a written letter setting forth the reasons for denial and the procedure for filing an administrative appeal. The Public Health Commission shall promulgate and post the administrative appeal rules within 14 days from the effective date of this ordinance. The administrative appeal process in its entirety shall not exceed 60 days. An employee whose application has been

disapproved is not obligated to exhaust the administrative appeals process before reapplying, and instead the employee may reapply after observing a 30-day waiting period from the date of the initial denial.

(e) ELIGIBILITY TO TRANSFER SICK LEAVE AND/OR VACATION CREDITS. Any employee of the City and County of San Francisco who is eligible to accumulate and use vacation credits and sick leave may transfer sick leave and/or vacation credits to another employee subject to the following conditions:

(1) The transferring employee must retain a minimum sick leave balance of 64 hours;

(2) Transfers must be in units of eight hours;

(3) All transfers are irrevocable;

(4) The transferring employee may transfer hours once per pay period per recipient;

(5) The transferring employee may transfer a maximum of 80 hours per pay period and 480 hours per calendar year; and

(6) Neither the transferring employee nor the designated recipient may be in violation of Subsection (i). Notwithstanding the foregoing, for employees retiring after January 31, 1992 and prior to March 31, 1992 pursuant to Charter section 8.517-2, conditions (1), (4) and (5) shall not be applicable.

(f) POSTING OF ELIGIBLE RECIPIENTS.

(1) The Department of Public Health shall assign an exclusive number to each catastrophically ill employee deemed eligible to receive sick leave time and/or vacation credit transfers under

these rules;

(2) The Department of Public Health shall maintain, reproduce and post a running list of catastrophically ill employees, to be identified only by their special number, in order to let transferring employees designate a recipient;

(3) The list may include the amounts of sick leave and vacation credits already transferred or on reserve to each employee; and

(4) In all cases, the Department of Public Health and its designees shall shield and protect the true identities of catastrophically ill employees and the right of employees to confidentiality protections.

(g) RECEIPT OF TRANSFERRED SICK LEAVE AND VACATION CREDITS BY A CATASTROPHICALLY ILL EMPLOYEE.

(1) All hours transferred shall be credited as sick leave for the receiving employee. As they are used, they shall be treated as use of the employee's own sick leave for all purposes, including for continued accrual of vacation credits, sick leave, and retirement service; service for pay increments; and eligibility for holiday pay.

(2) At the beginning of each pay period, a catastrophically ill employee must use all sick leave and vacation credits accrued during the previous pay period before using any transferred hours.

(3) An employee who has been determined catastrophically ill may use transferred hours retroactively from the date of certification of eligibility back to the date of application.

(4) A receiving employee may use transferred credits in a pay period to the extent that when combined with other compensation from the City and County and all other benefits from public sources, the total does not exceed the pay for 100 percent of the employee's regularly scheduled hours for such pay period (excluding regularly scheduled overtime and premium pay). A receiving employee may be required to provide financial records to prove compliance with this subsection. Failure to provide such records is grounds for exclusion from eligibility to receive sick leave and vacation credit transfers pursuant to this section.

(5) If a catastrophically ill employee dies, retires, or resigns before having used all hours transferred pursuant to this provision, the unused hours shall be divided equally among catastrophically ill employees with sick leave balances of 40 hours or less, provided that no catastrophically ill employee shall receive more than 40 hours under such procedure. If this is not sufficient to exhaust the deceased, retired, or resigned employee's unused hours, the remainder shall then be divided equally among all catastrophically ill employees with sick leave balances of 80 hours or less, provided that no catastrophically ill employee shall receive more than 40 hours under such procedure; if this is not sufficient to exhaust the deceased, retired, or resigned employee's unused hours, the remainder shall then be divided equally among all catastrophically ill employees with sick leave balances of 120 hours or less, provided that no catastrophically ill employee shall receive more than 40 hours under

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such procedure; further applications of this rule in increments of 40 hours shall be applied until all the deceased employee's remaining hours shall have been redistributed.

(h) Confidentiality.

(1) All medical records submitted by an employee pursuant to this statute are to be kept confidential by the Department of Public Health or its designee.

(2) Until the Department of Public Health has rendered this opinion pursuant to subsection (d) that the employee is catastrophically ill, the fact of an employee's application is to be kept confidential by the parties processing the application and not shared with the employee's department head.

(3) The names of employees donating hours pursuant to this provision are to remain confidential.

(4) Violation of the provisions of this subsection or any other relating to confidentiality protections shall be grounds for disciplinary action.

(i) NO SELLING OR COERCION.

(1) No individual shall directly or indirectly solicit the receipt of, or accept, any compensation in full or partial exchange directly or indirectly, for sick leave or vacation credits to be transferred pursuant to this section.

(2) No individual shall solicit the receipt of, or accept, the transfer of any sick leave or vacation credits pursuant to this section in full or partial exchange, directly or indirectly, for any

compensation.

(3) No individual shall threaten or in any way attempt to coerce an employee with respect to transfer of sick leave or vacation credits pursuant to this section.

(4) Violation of the provisions of this subsection shall be grounds for disciplinary action.

(j) LIMITATION. In undertaking the adoption and enforcement of this ordinance, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(k) REVIEW.

(1) Within six months following final passage of this ordinance, a Task Force on Transfer Benefits shall be assembled to review the sick leave and vacation transfer program, the report of the Executive Director of Employee Relations on the costs of purchasing long term disability insurance for employees of the City and County of San Francisco, this ordinance, and the performance of City and County departments in carrying out their Charter and statutory obligations.

(2) The Task Force shall be composed of seven members, with one member each representing the Health Commission, Civil Service Commission, and Retirement Board; two members representing employee associations; one member representing the public; and one member representing persons with catastrophic illnesses;

(3) Members of the Task Force shall be appointed by the Board of Supervisors in accordance with the composition requirements established herein; and

(4) The Task Force shall prepare a report with its findings and recommendations for improvements or modifications in the sick leave and vacation credit transfer program, and to be presented to the Board of Supervisors and Mayor within 120 days from the date of the first meeting of the Task Force.

(l) NOTICES. The Civil Service Commission shall develop notices with relevant information about the sick leave and vacation credit transfer program, including facts on how and where to apply for registry as a catastrophically ill employee, and how and where employees can contribute sick leave time and vacation credits to catastrophically ill co-workers. These notices shall be distributed to all appointing officers who shall then post them in public places where other notices advising employees of rights and benefits are posted.

(m) TERMINATION OF THIS PROVISION. Unless otherwise specified by ordinance or Charter provision, the provisions of this ordinance shall expire upon the effective date of a successor ordinance or Charter section providing for transfer of sick leave and vacation credits or upon the effective date of an ordinance or Charter section instituting a long-term disability program.

(n) RETROACTIVE. The provisions of this Section shall be effective retroactively to the date the relevant Charter amendments

were certified by the State of California.

(o) SUNSET. ((Effective February 11, 1996, unless this section is otherwise amended, the maximum number of hours that can be transferred to an employee for any single catastrophic illness shall be 3,120 hours.)) Not later than 14 months after this ordinance goes into effect, and every 18 months thereafter, the clerk shall calendar for hearing in the appropriate committee consideration of whether this legislation should be ~~adopted to continue the removal of the cap~~ amended. At that time the Board of Supervisors can evaluate the fiscal consequences in light of the City's experience under the removal of the cap.

(p) RETROACTIVE APPLICATION OF THE 1994 AMENDMENT. The 1994 amendment shall be effective retroactive to August 11, 1994.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Louise R. Lakey
Deputy City Attorney

5lb 3/19/96
rlh 3/19/96

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
March 25, 1996	$	April 1, 1996
	$	
	$	
Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki	$	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki
	$	
Absent: Supervisor Alioto	$	Absent: Supervisors Shelley Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-96-8.1

APR 3 1996
Date Approved

Mayor

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PUBLIC LIBRARY
DOCUMENTS DEPARTMENT
CIVIC CENTER LIBRARY
(2 copies of all Leg.)

FILE NO. 93-95-1.1 ORDINANCE NO. 132-96

AMENDING ORDINANCE NO. 178-95 TO IMPLEMENT THE TERMS OF AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 790, AFL-CIO AND THE CITY AND COUNTY OF SAN FRANCISCO FOR STAFF NURSE AND PER DIEM NURSES EXTENDING THE DURATION OF THE MEMORANDUM OF UNDERSTANDING THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding for Staff Nurse and Per Diem Nurse between the Service Employees International Union, Local 790, AFL-CIO and the City and County of San Francisco extending the duration of the current Memorandum of Understanding through June 30, 1997. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 1, 1996	$	April 8, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	$	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
	$	
Absent: Supervisors Shelley Teng	$	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-1.1

APR 10 1996
Date Approved

Mayor

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APR 25 1996
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 101-95-66
(Government Funding)

ORDINANCE NO. 133-96

RO#95173
SA#71&72

APPROPRIATING $571,428 FROM THE GENERAL FUND RESERVE FOR SALARIES AND MANDATORY FRINGE BENEFITS TO ALLOW THE OFFICES OF THE TAX COLLECTOR/ TREASURER AND ASSESSOR TO IMPLEMENT AN ARBITRATOR'S AWARD INCREASING RATES OF PAY OF REAL PROPERTY AUDITORS AND APPRAISERS RETROACTIVE TO JULY, 1994 FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-AAA	General Fund		
UN-UNA	General Fund Unallocated		
999-09799 (*CON1GAGFAAA)	General Fund Reserve	$571,428	
AS-ASR	Assessor		
001-00101 (025003)	Permanent Salaries		$357,564
013-01901 (025003)	Mandatory Fringe Benefits		$58,521
TR-TTX	Treasurer/Tax Collector		
001-00101 (085018)	Permanent Salaries		$133,479
013-01901 (085018)	Mandatory Fringe Benefits		$21,864
	Total	$571,428	$571,428

BOARD OF SUPERVISORS

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

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FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1996	April 8, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Shelley Teng	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-66

APR 10 1996
Date Approved

Mayor

FILE NO. 101-95-68
(Government Funding)

ORDINANCE NO. 134-96
RO#95180
SA#86

APPROPRIATING $20,000,000 TO ALLOW SAN FRANCISCO GENERAL HOSPITAL TO PARTICIPATE IN THE SB 1255 DISPROPORTIONATE SHARE PAYMENT PROGRAM THROUGH THE CALIFORNIA MEDICAL ASSISTANCE COMMISSION DURING FISCAL YEAR 1995-96. FUNDED FROM MISCELLANEOUS HEALTH DEPARTMENT REVENUES.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-AAA	General Fund		
UN-UNA	General Fund Unallocated		
GL 249 (995031)	Deferred Credits (Health Rev.)	$20,000,000	
050-05442	Contribution to Outside Agency Fd.		$20,000,000
	Total	$20,000,000	$20,000,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

n \excel\approp\96sa#86

Supervisors Hsieh, Alioto
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1996	April 8, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Shelley Teng	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-68

APR 10 1996
Date Approved

Mayor

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FILE NO. 27-96-4 ORDINANCE NO. 135-96

(AIRPORT-CONCESSION LEASE)

APPROVING THE "NORTH TERMINALCALIFORNIA PRODUCTS SHOP LEASE" BETWEEN MARILLA CHOCOLATE COMPANY, INC. AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1: Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the "North Terminal California Products Shop Lease" between Marilla Chocolate Company, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Lease are contained in Board of Supervisors' file number 27-96-4.

The "North Terminal California Products Shop Lease" to Marilla Chocolate Company, Inc. was approved by Airports Commission Resolution No. 96-0055 adopted February 20, 1996.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1996	April 8, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Shelley Teng	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 27-96-4

APR 10 1996
Date Approved

_____
Mayor

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FILE NO. 27-96-5 March 26, 1996. ORDINANCE NO. 136-96

(Airport-Lease Modifications)

mlr 3/26 APPROVING retroactively MODIFICATION NO. 5 OF LEASE AND USE AGREEMENT BETWEEN DELTA AIRLINES, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors mlr 3/26 hereby approves retroactively Modification No. 5 of the Lease and Use Agreement between Delta Airlines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, copies of which Modification are contained in Board of Supervisors' file number 27-96-5.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1996	April 8, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Shelley Teng	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 27-96-5

APR 10 1996
Date Approved

_____
Mayor

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FILE NO. 45-96-17 ORDINANCE NO. 137-96

RO #95175

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF EPITACIA MORALES AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $40,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "Epitacia Morales v. City and County of San Francisco," San Francisco Superior Court No. 966-482 by the payment of $40,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

PUBLIC HEALTH DEPARTMENT

SANDRA HERNANDEZ, M.D.
Director

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

1G AGF AAA 97 09 86
975027 05311 $40,000.00
3/12/96

APPROVED:

SECRETARY
PUBLIC HEALTH COMMISSION

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 1, 1996	$	April 8, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	$	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
	$	
Absent: Supervisors Shelley Teng	$	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 45-96-17

APR 10 1996
Date Approved

Mayor

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FILE NO. 46-96-5 ORDINANCE NO. 138-96

[Settlement of Lawsuit]

AUTHORIZATION OF SETTLEMENT OF THE LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO V. EUGENIE S. ILITOVICH, ET AL., IN THE AMOUNT OF SEVENTY THREE THOUSAND DOLLARS ($73,000).

Be it ordained by the People of the City and County of San Francisco:

Section 1: The City Attorney is hereby authorized to settle the court action entitled CITY AND COUNTY OF SAN FRANCISCO V. EUGENIE S. ILITOVICH, Superior Court No. 968-593, by receiving from Defendant the amount of $73,000 to be paid as follows: Beginning March 1, 1996, the City shall receive thirty one (31) equal installments of $1,000. On October 1, 1998, City shall receive $42,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

ILENE DICK
Deputy City Attorney

RECOMMENDED:

DEPARTMENT OF BUILDING INSPECTION

FRANK Y. CHIU, DIRECTOR

SAN FRANCISCO BUILDING INSPECTION COMMISSION

BOBBIE SUE HOOD, PRESIDENT

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1996	April 8, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Shelley Teng	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 46-96-5

APR 10 1996
Date Approved

Mayor

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APR 25 1996
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 65-96-3 ORDINANCE NO. 139-96

[New Main Library]

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN FRANCISCO PUBLIC LIBRARY AND THE FRIENDS OF THE SAN FRANCISCO PUBLIC LIBRARY FOR USE OF SPACE IN THE NEW MAIN LIBRARY BUILDING FOR THE PERFORMANCE OF LIBRARY-RELATED SERVICES, GENERATION OF REVENUES FOR LIBRARY DEPARTMENT PURPOSES, AND ASSURANCE OF PRIVATE FUNDS TO PROVIDE SUPPORT ON AN ONGOING BASIS FOR THE SAN FRANCISCO PUBLIC LIBRARY SYSTEM; AND AUTHORIZING AND APPROVING CERTAIN AGREEMENTS DIRECTLY WITH SUCH NON-PROFIT CORPORATION AS CONTEMPLATED BY SUCH MOU, INCLUDING A LEASE OF OFFICE SPACE AND A LEASE OF GIFT STORE SPACE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. This Board of Supervisors hereby approves the Memorandum of Understanding between the San Francisco Public Library and the Friends of the San Francisco Public Library, a California non-profit public benefit corporation, a copy of which is on file with the Clerk of the Board of Supervisors. The MOU provides a mechanism whereby the Friends agrees to provide a minimum of $50,000 of private funding annually to the City for the San Francisco Public Library over a minimum term expiring on June 30, 1999, on the terms and conditions set forth therein. In connection with such fundraising assurances by the Friends and also with agreements by the Friends to assist the Library Department in providing public services, the Friends have requested certain uses of space in the new Main Library building for office and gift store uses, all as further set forth in such MOU.

SUPERVISORS KAUFMAN, MIGDEN, ALIOTO, AMMIANO, TENG, YAKI, LEAL
BOARD OF SUPERVISORS

Section 2. In accordance with the recommendations of the City Librarian and the Director of Property, this Board of Supervisors hereby approves and authorizes the Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, to execute the agreements with the Friends contemplated by the MOU, including: (i) a lease to the Friends of approximately 886 square feet of space on the upper main bridge level of the building, for office purposes; and (ii) a lease to the Friends of approximately 700 square feet on the upper main bridge level for operation of a gift store. All such agreements shall be on substantially the same terms and conditions as set forth in the MOU on file with the Clerk of the Board of Supervisors.

In exchange for the Friends' lease of office space, the Friends shall make a restricted gift to the Library of $15,948 per year. The amount of such gift shall be credited towards the Friends' annual assurance of $50,000 of private funding to the Library. The City shall provide basic building utilities and services, including electricity, heating, ventilation, air conditioning, and janitorial services, as well as telephone. The Friends shall maintain liability and other insurance required by the Director of Property and approved by the City's Risk Manager and shall indemnify the City from losses arising out of the Friends' use under the lease, without regard to insurance limits.

In exchange for the Friends' lease of the gift store space, the Friends shall make a restricted gift to the Library of $8,400 per year, plus the amount by which 6% of gross sales exceeds $8,400. The amount of such gift shall be credited towards the Friends' annual assurance of $50,000 of private funding to the

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SAN FRANCISCO
PUBLIC LIBRARY

Library. The City shall provide basic building utilities and services, including electricity, heating, ventilation, air conditioning, and janitorial services, as well as telephone. The Friends shall maintain liability and other insurance required by the Director of Property and approved by the City's Risk Manager and shall indemnify the City from losses arising out of the Friends' use under the lease, without regard to insurance limits.

Section 3. The Board of Supervisors hereby finds that it is in the best interests of the City and County to enter into such agreements based on direct negotiations with the Friends, without a competitive bid process and for the consideration set forth in the MOU on file with the Clerk of the Board of Supervisors. The Friends is a non-profit corporation devoted to promoting and assisting the development of the San Francisco Public Library and performs services that further the public purposes of the San Francisco Public Library. The use of the office space and gift store by the Friends will promote the public purposes of the new Main Library and the San Francisco Public Library System.

Section 4. The Director of Property is hereby authorized and urged to prepare the agreements referred to in Section 2 above, on the terms and conditions authorized and approved hereby and with approval as to form by the City Attorney.

Section 5. All actions authorized by this Ordinance and heretofore taken by the City Librarian, the Director of Property or

any other City official in furtherance of such leases or other agreements are hereby ratified, approved and confirmed by this Board of Supervisors.

RECOMMENDED:

ANTHONY J. DELUCCHI
Director of Property

SAN FRANCISCO PUBLIC LIBRARY

By _____
KENNETH E. DOWLIN
City Librarian

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1996	April 8, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Shelley Teng	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 65-96-3

APR 10 1996

Date Approved

Mayor

DOCUMENTS DEPT.
APR 25 1996
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 97-96-9 ORDINANCE NO. 140-96

(EMPLOYEE HEALTH COVERAGE)

AMENDING SECTION 16.157, SAN FRANCISCO ADMINISTRATIVE CODE, APPROVING HEALTH SERVICE SYSTEM PLANS AND RATES OF CONTRIBUTION AS ADOPTED BY THE HEALTH SERVICE BOARD.

Be it ordained by the people of the City and County of San Francisco.

Note: Additions or substitutions are underlined
Deletions are in ((double parenthesis))

Be it ordained by the people of the City and County of San Francisco.

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 16.157 to read as follows:

Section 16.157. HEALTH SERVICE SYSTEM: PLAN AND CONTRIBUTION RATES. Changes in contribution rates adopted by the Health Service Board, as respects the plans of the Health Service System, to become effective on July 1, ((1995)) 1996 for the fiscal year July 1, ((1995)) 1996 through June 30, ((1996)) 1997 approved by the Health Service Board in actions taken by it on ((February 9, 1995 and March 9, 1995)) January 29, 1996 which plans and contribution rates are on file with the Clerk of the Board of Supervisors, are hereby approved.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Claude Kolm
Claude Kolm
Deputy City Attorney

RECOMMENDED:

Randall B. Smith
Randall B. Smith
Health Service System

Wendell L. Pryor
Wendell L. Pryor
Human Resources Director

HEALTH SERVICE SYSTEM

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 25, 1996	April 8, 1996
Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Migden Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisor Alioto	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-96-9

APR 10 1996
Date Approved

Mayor

DOCUMENTS DEPT
APR 25 1996
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 97-96-12 ORDINANCE NO. 141-96

(City Seal Authorized Use)

AMENDING CHAPTER 1 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 1.6-B THERETO, AUTHORIZING THE CLERK OF THE BOARD, UPON THE RECOMMENDATION OF THE CHIEF ADMINISTRATIVE OFFICER, TO APPROVE THE USE OF THE CITY SEAL ON THE FACE OF SAN FRANCISCO AFFINITY CREDIT CARDS AND SAN FRANCISCO AFFINITY PRE-PAID PHONE CARDS PROMOTING THE CITY, AND ALLOWING SAN FRANCISCO AFFINITY CREDIT CARDS AND SAN FRANCISCO AFFINITY PRE-PAID PHONE CARDS INSCRIBED WITH THE CITY SEAL TO BE OFFERED FOR SALE.

NOTE: This entire section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Chapter 1 of the San Francisco Administrative Code is hereby amended by adding Section 1.6-B to read as follows:

SEC. 1.6-B <u>CORPORATE SEAL -- USE OF THE SEAL ON OFFICIAL AFFINITY CREDIT CARDS AND OFFICIAL PRE-PAID PHONE CARDS FOR THE CITY AND COUNTY</u>

(a) The Clerk of the Board is empowered to authorize the use of the City Seal on the face of San Francisco Affinity Credit Cards and San Francisco Affinity Pre-paid Phone Cards that are offered for sale in connection with San Francisco Affinity Credit Card and San Francisco Affinity Pre-Paid Phone Card Programs to be developed by the City.

(b) The Chief Administrative Officer shall quarterly submit in writing to the Board of Supervisors a report detailing

BOARD OF SUPERVISORS

SUPERVISOR CAROLE MIGDEN, Bierman, Teng, Alioto, Leal

uses of the City Seal approved by the Clerk of the Board under provisions of this Section.

(c) This Section shall expire upon termination of the agreements establishing the San Francisco pre-paid Phone Card Program and the San Francisco Affinity Credit Card Program.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Michael Cohen
Deputy City Attorney

DOCUMENTS DEPT.
APR 25 1996
SAN FRANCISCO
PUBLIC LIBRARY

cc

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 1, 1996	§	April 8, 1996
	§	
	§	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	§	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
	§	
Absent: Supervisors Shelley Teng	§	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-96-12

APR 10 1996
Date Approved

Mayor

FILE NO. 115-96-4 ORDINANCE NO. 142-96

(Mission Bay Nonconforming Uses Text Amendment)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTION 983(e)(3) TO PROVIDE A 25-YEAR NONCONFORMING USE TERMINATION PERIOD BEYOND THE CURRENT 10-YEAR TERMINATION PERIOD FOR FULLY ENCLOSED WAREHOUSE BUILDINGS EAST OF THIRD STREET.

NOTE: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 2, Article 2 of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Section 983(e) to read as follows:

983(e) Termination. Nonconforming uses in Mission Bay Use Districts shall be terminated as provided in this Subsection.

(1) Purpose. The purpose of this Subsection is to provide for the gradual elimination or conversion, after a reasonable allowance of time for the amortization of investments therein, of nonconforming uses in buildings and nonconforming uses of land in order to encourage and promote the orderly and beneficial development of the land and buildings with conforming uses. This Subsection is intended to apply to land and buildings whose use is at variance with the regulations of this Article, and is safeguarded against unnecessary hardship in application by provision for continuance a minimum of ten years, by procedures for extension and by requirement of notice. It is further declared that the requirement of eventual removal, or conversion to conforming use, of such buildings and land subject to the exceptions set forth, is in the public interest and is intended to promote the general welfare.

(2) Application. This Subsection shall apply to nonconforming uses occupying buildings and to nonconforming uses of land whether or not an enclosed building located on the same lot is involved in such use, when such uses would not be permitted as a principal or conditional use in the Mission Bay District in which the use is located.

(3). Amortization Period. Every such building and use to which this Section applies may be continued in such use for at least ten years from the effective date of this Section, and for fully enclosed warehouse buildings east of Third Street such use may continue for an additional period of at least twenty-five years after the expiration of the initial ten year period, and in either case for such additional periods as may be permitted by an extension or extensions granted pursuant to subsection (e)(4) below,

(4) Extensions. An extension of time may be granted, in accordance with the procedures for notice and hearing applicable to variances as provided in Section 305, including notice to the owner of the fee title to the affected property if the Zoning Administrator determines that either (i) special circumstance apply to any such building or use which do not apply generally to other affected buildings and uses or (ii) an extension will not impede the orderly development of Mission Bay as contemplated in the Mission Bay Plan and Mission Bay Development Agreement. In considering an application for extension of an industrial use served by a rail freight spur track, consideration shall be given to

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the necessity for granting an extension of such rail freight spur track use. No extension shall be given for a period in excess of two years. Successive extensions, subject to the same limitations, may be granted upon new application.

(5) Removal or Alteration and Conversion. Upon the expiration of the amortization period and any extension or extensions granted pursuant to Subsection (e)(4), the use or buildings shall be completely removed or altered and converted to a conforming use provided, however, that if the termination of the use of any Public Transportation Facility requires the approval of any state or federal commission, or agency under any applicable state or federal law or regulation, the nonconforming use of such facility may continue until all such approvals have been obtained. Nothing herein shall require the development of the minimum number of dwelling units required under Section 920, until such time as a parcel is developed in accordance with this Article 9.

(6) Notice. The Zoning Administrator shall give notice by mail of the date of expiration of the periods of permitted continuance specified herein to each owner of record within one year of the effective date of this Section. A final notice shall be given one year before said date of expiration in each instance. The notices shall set forth all pertinent provisions of this Section, including the declared purpose thereof. Failure to send notice by mail to any such owner where the address of such owner is not a matter of public record, or where no Permit of Occupancy for a nonconforming use covered by this Section had been issued as provided in Section 171 of this Code, shall not invalidate any proceedings under this Section.

///

///

Section 2. Pursuant to Section 101.1 of the City Planning Code, this Board of Supervisors adopts City Planning Commission Resolution No. 14050 approving the findings related to the Eight Priority Policies of Section 101.1 of the City Planning Code.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Noreen Ambrose
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1996	April 8, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Shelley Teng	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
115-96-4

APR 10 1996
Date Approved

Mayor

DOCUMENTS DEPT

APR 25 1996

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FILE NO. 155-96-1 ORDINANCE NO. 143-96

RO #95168

[Reward Authorization]

AUTHORIZING PAYMENT OF REWARD TO DOE ONE:

NOTE: This material is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Ten Thousand Dollars ($10,000) payable to Doe One for supplying information leading to the arrest and conviction of the perpetrator who murdered Justine Jones, "The Haight Street Good Samaritan" on March 27, 1994.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

FUNDS AVAILABLE:

CONTROLLER

1G AGF AAA GE GEN POL
975025 05311 $10,000.00

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1996	April 8, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Shelley Teng	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 155-96-1

APR 10 1996
Date Approved

Mayor

DOCUMENTS DEPT

APR 25 1996

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FILE NO. 101-95-67
(Government Funding)

ORDINANCE NO. 144-96
RO#95174
SA#76

APPROPRIATING $81,065,500 OF 1992 AIRPORT REVENUE BOND PROCEEDS FOR CAPITAL IMPROVEMENTS AND PROFESSIONAL SERVICES TO ALLOW THE AIRPORT TO IMPLEMENT THE MASTER PLAN MITIGATION NOISE INSULATION PROGRAM FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
5A-CPF-92E	**1992 - SFIA - Bond Fund**		
AC-AIR	Airport Commission		
Proj. CACF65-01	Construction Unallocated - Issue II		
800-80111 (AIR11UNALLOC)	Proceeds from Sales of Bonds	$81,065,500	
Proj. CACF65-01	Construction Unallocated - Issue II		
060-06700	Bldgs., Structures & Improvement Project		$80,657,736
Proj. CACF66-01	Professional & Special Services - Issue II		
021-02700 (AIR11PROFSVC)	Professional & Special Services		$407,764
	Total	$81,065,500	$81,065,500

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 1, 1996	April 8, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Shelley Teng	Absent: Supervisor Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-95-67

4/11/96
Date Approved

_____
Mayor

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APR 25 1996
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 101-95-63 (Government Funding)

AS AMENDED IN COMMITTEE 4/03/96

ORDINANCE NO. 145-96

RO#95170
SA#74

4/03/96 grh

APPROPRIATING ~~$653,000~~ $219,592 OF SAN FRANCISCO AIRPORT OPERATING FUNDS FOR SALARIES AND MANDATORY FRINGE BENEFITS FOR THE CREATION OF ~~THIRTY SEVEN (37)~~ THIRTY-THREE (33) POSITIONS TO SUPPORT THE IMPLEMENTATION OF THE MASTER PLAN AT THE AIRPORT FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
5A-AAA-AAA	SFIA-Operating-Non-Project-Controlled Fund		
AC-AIR	Airport Commission		
999-09999 (AIROPRIND)	Unreserved Fund Balance	$239,592 ~~$653,000~~	
001-00101 (AIROPRIND)	Permanent Salaries - Miscellaneous		$187,421 ~~$516,849~~
013-01901	Mandatory Fringe Benefits		$ 52,171 ~~$142,151~~
	Total	$239,592 ~~$653,000~~	$239,592 ~~$653,000~~

4/03/96 grh

Section 2. Funds are hereby appropriated for the creation of thirty ~~seven (37)~~ three (33) positions by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-95-17 as follows):

Class No.	Title	Rate	No. of Positions Created
Index Code: AIROPRIND; Sub-Object: 001-00101:			
~~1203 N~~	~~Personnel Technician~~	~~1287B1535~~	~~1~~
1366 N	Special Assistant IX	1682B2043	1
1370 N	Special Assistant XI	1946B2385	1
1404 N	Clerk	0984B1191	1
1424 N	Clerk Typist	1022B1237	1
1426 N	Sr. Clerk Typist	1120B1355	1
1632 N	Sr. Account Clerk	1220B1477	1
1764 N	Mail/Reproduction Service Superintendent	1368B1658	1
1802 N	Research Assistant	1355B1642	1
1844 N	Sr. Management Assistant	1674B2033	~~2~~ 1
3554 N	Associate Registrar	1114B1349	1
7334 N	Stationary Engineer	1450B1756	2
7335 N	Sr. Stationary Engineer	1634B1985	1
7342 N	Locksmith	1658B2014	1
7347 N	Plumber	1909B2319	2
7348 N	Steamfitter	1909B2319	2
9203 N	Sr. Airport Communications Dispatcher	1443B1748	2
9209 N	Police Service Aide	1141B1381	~~12~~ 10
9222 N	Airport Operations Coordinator	2135B2596	3
	Total Positions Created		33 ~~37~~

4/03/96 grh

BOARD OF SUPERVISORS

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MAY 06 1996
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APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON

BY: _____
CONTROLLER

DEPARTMENT OF HUMAN RESOURCES

BY: _____
DIRECTOR

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 8, 1996	$	April 15, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Kaufman Kennedy Leal	$	Bierman Hsieh Kennedy Leal
Shelley Teng Yaki	$	Shelley Teng Yaki
	$	
Absent: Supervisor Hsieh	$	Absent: Supervisor Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-95-63

APR 17 1996
Date Approved

_____
Mayor

AS AMENDED IN COMMITTEE
4/03/96

FILE NO. 101-95-64 ORDINANCE NO. 146-96

(Government Funding)

RO#95171
SA#75

4/03/96 grh

$636,354

APPROPRIATING ~~$671,000~~ OF SAN FRANCISCO AIRPORT OPERATING FUNDS FOR OVERTIME TO SUPPORT INCREASED SECURITY MANDATED BY THE FEDERAL AVIATION ADMINISTRATION AT THE AIRPORT FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
5A-AAA-AAA	SFIA - Operating - Non-Project Controlled		
AC-AIR	Airport Commission		
4/03/96 grh			
999-09999 (AIROPRIND)	Unreserved Fund Balance	$636,354 ~~-$671,000~~	
001-01101	Overtime - Miscellaneous		$636,354 ~~$671,000~~
	Total	$636,354 ~~$671,000~~	$636,354 ~~$671,000~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON

BY: _____
CONTROLLER

n:\ascot\approp\27ao78

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 8, 1996	April 15, 1996
Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kennedy Leal Shelley Teng Yaki
Absent: Supervisor Hsieh	Absent: Supervisor Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-64

APR 17 1996
Date Approved

Mayor

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MAY 06 1996
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FILE NO. 101-95-70 AS AMENDED IN COMMITTEE 4/03/96 ORDINANCE NO. 147-96

(Government Funding) RO#95181 SA #80

4/03/96 grh

$318,395

APPROPRIATING AND RESCINDING ~~$319,895~~ FOR PERSONAL SERVICES, MATERIALS AND SUPPLIES AND EQUIPMENT FOR AUTOMATION PROJECTS AT THE DEPARTMENT OF SOCIAL SERVICES FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-AAA	General Fund		
SS-DSS	Dept. of Social Services		
001-00101 (455019)	Permanent Salaries	$238,421 ~~$239,921~~	
001-01901 (455019)	Mandatory Fringe Benefits	$79,974	
			$88,568
021-02799 (455016)	Personal Services/Maintenance Contracts		~~$90,068~~
040-04000 (455016)	Materials and Supplies		$17,173
060-06199 (455016)	Other Equipment		$212,654
	Total	$318,395 ~~$319,895~~	$318,395 ~~$319,895~~

4/03/96 grh

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

n \wpcalfappro\46aa880

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 8, 1996	$	April 15, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Kaufman Kennedy Leal	$	Bierman Hsieh Kennedy Leal
Shelley Teng Yaki	$	Shelley Teng Yaki
	$	
Absent: Supervisor Hsieh	$	Absent: Supervisor Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-70

APR 17 1996
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 06 1996
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FILE NO. 102-95-17 AS AMENDED IN COMMITTEE 4/03/96 ORDINANCE NO. 148-96

PUBLIC EMPLOYMENT SAL.ORD.AMEND. NO. 13

AMENDING ORDINANCE NO. 256-95 (ANNUAL SALARY ORDINANCE, 1995/96)

4/03/96 grh REFLECTING THE CREATION OF THIRTY-~~SEVEN (37)~~ THREE (33) POSITIONS AT THE SAN

FRANCISCO INTERNATIONAL AIRPORT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No.256-95

(Annual Salary Ordinance, 1995/96) are hereby amended so that the same shall read as follows:

Department and Number	Source of Funds and Purpose of Appropriation
5A-AAA-AAA AC-AIR 001-00101 (AIROPRIND)	SFIA-Operation-Non-Project-Controlled Fund Airport Commission Permanent Salaries - Miscellaneous

(Amend-ment)	No. Pos.	Class and Item No.	Class Title		Compensation Schedule
4/03/96 grh ~~1 Added~~	~~1~~	~~1203 N~~	~~Personnel Technician~~	~~SC~~	~~$1255B1520~~
1 Added	1	1368 N	Special Assistant IX	SC	$1682B2043
1 Added	1	1370 N	Special Assistant XI	SC	$1946B2365
1 Added	1	1404 N	Clerk	SC	$ 984B1191
1 Added	1	1424 N	Clerk Typist	SC	$1022B1237
1 Added	1	1426 N	Sr. Clerk Typist	SC	$1120B1355
1 Added	1	1632 N	Sr. Account Clerk	SC	$1220B1477
1 Added	1	1764 N	Mail/Reproduction Service Supt	SC	$1368B1658
1 Added	1	1802 N	Research Assistant	SC	$1355B1642
4/03/96 grh ~~2~~ 1 Added	~~2~~ 1	1844 N	Sr. Management Assistant	SC	$1674B2033
1 Added	1	3554 N	Associate Registrar	SC	$1114B1349

BOARD OF SUPERVISORS

(Amend-ment)	No. Pos.	Class and Item No.	Class Title		Compensation Schedule
2 Added	2	7334 N	Stationary Engineer	SC	$1450B1756
1 Added	1	7335 N	Sr. Stationary Engineer	SC	$1634B1985
1 Added	1	7342 N	Locksmith	SC	$1658B2014
2 Added	2	7347 N	Plumber	SC	$1909B2319
2 Added	2	7348 N	Steamfitter	SC	$1909B2319
2 Added	2	9203 N	Sr. Airport Comm. Dispatcher	SC	$1443B1748
4/03/96 10 grh ~~12~~ Added	10 ~~12~~	9209 N	Police Service Aide	SC	$1141B1381
3 Added	3	9222 N	Airport Operations Coordinator	SC	$2135B2596

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

(AMENDED) NO. 13

BOARD OF SUPERVISORS

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MAY 06 1996
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PUBLIC LIBRARY

cc

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 8, 1996	§	April 15, 1996
	§	
	§	
Ayes: Supervisors Alioto Ammiano	§	Ayes: Supervisors Alioto Ammiano
Bierman Kaufman Kennedy Leal	§	Bierman Hsieh Kennedy Leal
Shelley Teng Yaki	§	Shelley Teng Yaki
	§	
Absent: Supervisor Hsieh	§	Absent: Supervisor Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-95-17

APR 17 1996
Date Approved

Mayor

As amended in Board 4/8/96 4/2/96 - Amendment of the Whole.

FILE NO. 123-95-3 ORDINANCE NO. 149-96

(Commemorative Street Plaque Placement Procedures)

AMENDING PART II, CHAPTER 10, ARTICLE 15 OF THE SAN FRANCISCO MUNICIPAL CODE (PUBLIC WORKS CODE) BY ADDING SECTIONS 789, 789.1, 789.2, 789.3, 789.4, 789.5, 789.6, AND 789.7 THERETO TO ESTABLISH PROCEDURES FOR THE COMMEMORATION OF HISTORICAL SITES, EVENTS AND PERSONS IN LOCATIONS UPON A PUBLIC STREET OR PLACE.

Note: This entire section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Part II, Chapter 10, Article 15 of the San Francisco Municipal Code (Public Works Code) shall be amended by adding Sections 789, 789.1, 789.2, 789.3, 789.4, 789.5, 789.6, 789.7 and 789.8 thereto, to read as follows:

SEC. 789. TITLE. These Sections 789 through 789.8 shall be known as the "Commemorative Street Plaque" Ordinance.

SEC. 789.1. PURPOSE AND INTENT. The Board of Supervisors hereby finds and declares that:

(a) The City and County of San Francisco has an unique and important history that should be preserved and commemorated for residents and visitors. The contributions of certain sites, events, and people to the history of the City should be recognized.

Supervisors Ammiano, Shelley, Alioto, Leal, Bierman, Teng

BOARD OF SUPERVISORS

1 OF 5

4/8/96 rt

(b) One method of preserving and commemorating such historical sites, events, and people shall be the placement of commemorative plaques upon public streets and places. Such plaques shall play an important role in identifying locations of historical interest to residents and visitors.

SEC. 789.2. COMMEMORATIVE STREET PLAQUE PLACEMENT PROCEDURES. This section shall govern the procedures governing commemoration of historical sites, events and persons in locations upon a public street or place as defined in Section 244 of this Code.

4/8/96 rt

(a) The Board of Supervisors may, by resolution, designate a specific location on a public street or place to commemorate a site, event or person of historical interest to San Francisco.

(b) Any person seeking to commemorate a site, event or person of historical interest to San Francisco on a specific location on a public street or place shall file an application with the Department of Public Works. Such application shall be filed upon forms prescribed by the Department, include all information required by the Department and be accompanied by all required fees set by the Department.

//

BOARD OF SUPERVISORS

2 OF 5

DOCUMENTS DEPT.

MAY 06 1996

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SEC. 789.3. SCHEDULE, NOTICE AND CONDUCT OF HEARING.

(a) The Department shall set a time and place for a hearing thereon for a date not to exceed 90 days from the date on which the complete application was received by the Department.

(b) Notice of time, place and purpose of the hearing on the application for a commemorative plaque on a public street or place shall be as follows:

(1) By mail, not less than 10 days prior to the date of the hearing, to the applicant(s).

(2) By mail, not less than 10 days prior to the date of the hearing, to the owners of all real property fronting the specific location and the owners of all real property on either side of the specific location requested for commemoration. The Department shall use the names and addresses of the owners as shown on the latest city-wide assessment roll in the office of the Tax Collector.

(3) By posting, not less than 10 days prior to the date of the hearing, in a public place near the specific location requested for commemoration.

(4) Such other notice as the Department shall deem appropriate.

(c) A record shall be kept of pertinent information presented at the hearing and such record shall be maintained as part of the permanent records of the Department. The Director of Public Works shall determine the instances in which applications scheduled for hearing may be continued. In such cases, new notice need not be given provided the date of any further hearing is announced at the previously scheduled hearing.

SEC. 789.4. DESIGNATION BY BOARD OF SUPERVISORS. (a) Within 30 days after close of the hearing, the Department shall forward the application, its own report and recommendation to the Clerk of the Board of Supervisors. The record of the hearing thereon and a list of all parties notified of the hearing shall be attached to the Department's recommendation.

(b) The Board of Supervisors shall hold a public hearing on any proposal so transmitted. The Board may approve, disapprove or modify and approve, the designation of a specific location on a public street or place to commemorate a site, event or person of historical interest to San Francisco.

SEC. 789.5. SITTING AND DESIGN GUIDELINES. The Department shall develop siting criteria for the commemorative plaques and may adopt such criteria through departmental orders

and/or regulations. The Department shall also develop design guidelines for the commemorative plaques after consulting with the Art Commission.

SEC. 789.6. OFFICIAL AND COMMEMORATIVE MAPS. (a) The Department shall be responsible for maintaining the official street map of the City and County of San Francisco.

(b) From time to time, the Department shall develop a map listing all sites designated as commemorative sites.

SEC. 789.7. FEES. The Department shall determine the amount of a fee necessary to compensate the City for processing and administering an application for a commemorative plaque. The fee shall be deposited into the Engineering Inspection Fund and pay for the time and materials required to process the application, based upon the estimated actual costs to perform the work, including the costs of the Department of Public Works, the City Attorney and the Board of Supervisors.

4/2/96
jlb

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Deputy City Attorney

BOARD OF SUPERVISORS

5 OP 5

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 8, 1996	$	April 15, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Kaufman Kennedy Leal	$	Bierman Hsieh Kennedy Leal
Shelley Teng Yaki	$	Shelley Teng Yaki
	$	
Absent: Supervisor Hsieh	$	Absent: Supervisor Kaufman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
123-95-3

APR 17 1996
Date Approved

Mayor

DOCUMENTS DEPT

MAY 06 1996

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FILE NO. 101-95-62 AS AMENDED IN COMMITTEE 4/03/96 ORDINANCE NO. 150-96

(Government Funding) RO# 95169
SA#73

/03/96 grh

APPROPRIATING ~~$71,133~~ $48,712 FROM THE GENERAL FUND RESERVE FOR PROFESSIONAL SERVICES, RENT, OTHER CURRENT EXPENSES, MATERIALS AND SUPPLIES AND SERVICES OF OTHER DEPARTMENTS FOR THE RELOCATION OF THE OFFICE OF CITIZEN COMPLAINTS AT THE POLICE DEPARTMENT FOR FISCAL YEAR 1995-96 (ACCOMMODATE NEW STAFF REQUIRED PER PROPOSITION G); PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-AAA	General Fund		
UN-UNA	General Fund Unallocated		
097-09799 (*CON1GAGFAAA)	General Reserve	$48,712 ~~$71,133~~	
PC-POL	Police Dept. - Citizen Complaints		$ 9,195
021-02799 (385021)	Professional Special Services		~~$10,000~~ -0-
021-03011 (385021)	Property Rent		~~$21,840~~
021-03599 (385021)	Other Current Expenses		$12,745
081-081ET (385021)	Services of Other Depts.- GF-DET. Telecommunication		$24,412
049-04941 (385021)	Materials and Supplies		$2,360
	Total	$48,712 ~~$71,133~~	$48,712 ~~$71,133~~

/03/96 grh

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

BOARD OF SUPERVISORS

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Thomas J. Owen
DEPUTY CITY ATTORNEY

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FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: John Wheller

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1996	April 22, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisor Kaufman	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-62

APR 24 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 07 1996

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AS AMENDED IN COMMITTEE
04/10/96

FILE NO. 101-95-65 ORDINANCE NO. 151-96

(Government Funding) RO#95172
SA#46

4/10/96 grh

$464,628 THREE (3)

APPROPRIATING ~~$486,600~~ FROM THE GENERAL FUND RESERVE FOR SALARIES, FRINGE BENEFITS, PROFESSIONAL SERVICES AND SERVICES OF OTHER DEPARTMENTS FOR THE CREATION OF ~~FOUR (4)~~ POSITIONS TO PROVIDE THE DEPARTMENT OF HUMAN RESOURCES WITH ADDITIONAL SUPPORT FOR LABOR NEGOTIATIONS FOR FISCAL YEAR 1995-96; PLACING $146,250 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
IG-AGF-AAA	General Fund		
UN-UNA	General Fund Unallocated	$464,628	
097-09799 (*CON1GAGFAAA)	General Fund Reserve	~~-$485,500-~~	
RD-HRD	Human Resources		
00500 001-00401 (335011)	Salaries - Tempoary		34,768 ~~46,600~~
013-01901 (335011)	Mandatory Fringes		2,660 ~~11,700~~
021-02700 (335011)	Professional Services		$237,200
081-081C8 (335011)	Services of Other Dept. (ISD)		$40,000
081-081CT (335011)	Services of Other Dept. (City Attorney)		$150,000
	Total	$464,628 ~~$485,600~~	$464,628 ~~$486,600~~

BOARD OF SUPERVISORS

04/10/96 grh

Section 2. Funds are hereby appropriated for the creation of Four ~~(4)~~ Three (3) positions by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-95-16) as follows:

Class No.	Classification Title	Rate	No. of Positions Created
Index Code: 335011; Sub-Object: 00401:			
1242 L	Personnel Analyst	1550B1881	1
~~1818 L~~	~~MIS Specialist II~~	~~1506B1936~~	~~1~~
1823 L	Senior Administrative Analyst	1871B2274	1
1203 L	Personnel Technicians	1267B1535	1
	Total positions created		3 ~~4~~

Section 3. Funds in the amount of $146,250 are hereby placed on reserve, pending a report from the Human Resources Department on the actual number of days of arbitration required for MOUs concluded in Fiscal Year 1995-96; to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUND AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

DEPARTMENT OF HUMAN RESOURCES

BY: _____
DIRECTOR

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1996	April 22, 1996
Ayes: Supervisors Alioto Ammiano Bierman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Leal Teng Shelley Yaki
Noes: Supervisor Hsieh	Noes: Supervisor Hsieh
Absent: Supervisor Kaufman	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-65

APR 24 1996
Date Approved

Mayor

DOCUMENTS DEPT

MAY 07 1996

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FILE NO. 101-95-69 (Government Funding)

AS AMENDED IN COMMITTEE 04/10/96

ORDINANCE NO. 152-96

RO#95179
SA#79

APPROPRIATING $2,900,000 OF COURT SPECIAL REVENUE FUND REVENUE TO A CAPITAL IMPROVEMENT PROJECT FOR CIVIC CENTER COURTHOUSE CONSTRUCTION FOR THE TRIAL COURTS FOR FISCAL YEAR 1995-96; PLACING $2,900,000 ON RESERVE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
2S-CTF-APR	Courts' Special Revenue Fund		
SP-CRT	Trial Courts		
Proj. CMC700	Courthouse Construction		
GL 399 (110003)	Fund Balance	2,900,000	
Proj. CMC700	Courthouse Construction		
060-06700 (110042)	Capital Improvement Project		2,900,000
	Total	2,900,000	2,900,000

04/10/96 grh

Section 2. Funds in the amount of $2,900,000 are hereby placed on reserve, pending the selection of contractors, the MBE/WBE status of the contractors and contract cost details; to be released by the Budget Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

n:\ascshappro\10ord79

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 15, 1996	$	April 22, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kennedy Leal Shelley Teng Yaki	$	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
	$	
Absent: Supervisor Kaufman	$	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-95-69

APR 24 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 07 1996

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FILE NO. 45-96-20 ORDINANCE NO. 153-96

RO #95185

[SETTLEMENT OF LAWSUIT]
AUTHORIZING SETTLEMENT OF LITIGATION OF TEDRAL L. THOMPSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $7,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "TEDRAL L. THOMPSON V. CITY AND COUNTY OF SAN FRANCISCO, Superior Court No. 962-340, by the payment of $7,500.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

ADULT PROBATION

ARLENE M. SAUSER
Chief Adult Probation Officer

FUNDS AVAILABLE:

EDWARD M HARRINGTON
Controller

1G AGF AAA GE GEN ADP
975053 05311 $7,500.00

MAR 27 1996

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
April 15, 1996	$	April 22, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kennedy Leal Shelley Teng Yaki	$	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisor Kaufman	$	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-96-20

APR 24 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 07 1996

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FILE NO. 45-96-21 ORDINANCE NO. 154-96

[SETTLEMENT OF LAWSUIT] RO #95184

AUTHORIZING SETTLEMENT OF LITIGATION OF THE CITY'S CROSS-COMPLAINT IN LOPEZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the City's cross-complaint of the action entitled "Lopez v. City and County of San Francisco," San Francisco Superior Court No. 952-731 by the receipt of $12,000 from cross-defendant Guillermo Lopez, $10,000 from plaintiff Thomas King and to pay $16,250 to plaintiff Guillermo Lopez.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

POLICE DEPARTAMENT

FRED LAU
Chief of Police

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

1G AGF AAA FC POL
385026 05311 $16,250.00

MAR 27 1996

APPROVED:

SECRETARY
Commission

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 15, 1996	§	April 22, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kennedy Leal Shelley Teng Yaki	§	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisor Kaufman	§	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 45-96-21

APR 24 1996
Date Approved

Mayor

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FILE NO. 52-96-2 ORDINANCE NO. 155-96

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 322 IN THE ALPINE TERRACE/MUSEUM WAY DISTRICT.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 322

(Alpine Terrace/Museum Way District)

District covering Alpine Terrace (all), Waller Street between the easterly boundary of Buena Vista Ave. (East) and the westerly boundary of Divisadero St. and Museum Way from a point 97 feet southeasterly of its southwesterly intersection with Roosevelt Way and continuing along Museum Way 655 feet to a point.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires in a scenic area and was requested by public petition of the majority of property owners in the area.

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay up to a maximum of $1,000 per service lateral for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: Dana Fitzgerald
Deputy City Attorney

DESCRIPTION APPROVED

Deputy Director,
Pubic Services

RECOMMENDED:

Ann Branston
Acting Director of Public Works

APPROVED:

William Lee
Chief Administrative Officer

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1996	April 22, 1996
Ayes: Supervisors Alioto Ammiano Bierman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Hsieh Kaufman	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 52-96-2

APR 24 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 07 1996

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FILE NO. 62-96-1

ORDINANCE NO. 156-96

(Lake Merced Restaurant & Bar Lease Second Amendment)

APPROVING A LEASE AMENDMENT WITH THE LAKE MERCED RESTAURANT AND BAR EXTENDING THE AGREEMENT TO MAY 31, 2002.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That certain lease between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco, shall be extended to May 31, 2002, for the continued operation of a restaurant and bar at Lake Merced, a copy of which lease amendment is on file in the office of the Board of Supervisors and to which reference is hereby made, is hereby approved.

Approved as to Form

Louise H. Renne, City Attorney

By: _____
G. Scott Emblidge
Deputy City Attorney

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1996	April 22, 1996
Ayes: Supervisors Alioto Ammiano Bierman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Hsieh Kaufman	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 62-96-1

APR 24 1996
Date Approved

Mayor

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FILE NO. 65-96-4 ORDINANCE NO. 157-96

RO #95176

[Lease of Real Property]

AUTHORIZING AND APPROVING A THIRTY-FIVE YEAR LEASE WITH THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT, OF CERTAIN SCHOOL DISTRICT PROPERTY, LOCATED AT NEWCOMER HIGH SCHOOL; AND RATIFYING PREVIOUS ACTIONS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The form of Lease presented to this Board of Supervisors (the "Lease") between the San Francisco Unified School District, as landlord, and the City, as tenant, for the use of approximately 289 square feet of property under the jurisdiction of the San Francisco Unified School District located at the Newcomer High School, for purposes of constructing and maintaining an operator restroom for the Municipal Railway, a copy of which Lease is on file with the Clerk of the Board of Supervisors, is hereby approved. The Lease shall include an indemnity of the landlord, shall have a term of thirty-five years, and shall have an annual rent of $1.00 as set forth and on the terms and conditions contained in the Lease.

Section 2. The Mayor is hereby authorized to execute, and the Clerk of the Board of Supervisors is hereby authorized to attest and affix the seal of the City thereon, the Lease in the form presented to this Board.

[PUBLIC TRANSPORTATION COMMISSION]

BOARD OF SUPERVISORS

Section 3. All actions authorized by this ordinance and heretofore taken by any City official in connection with the lease are hereby ratified, approved and confirmed by this Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

RECOMMENDED:

By: _____
Director of Property

JEP

By: _____
Controller

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1996	April 22, 1996
Ayes: Supervisors Alioto Ammiano Bierman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Hsieh Kaufman	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 65-96-4

APR 24 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 07 1996

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FILE NO. 90-96-1 ORDINANCE NO. 158-96

(Landmarks)

DESIGNATING THE NORTH END POLICE STATION AND GARAGE AS LANDMARK NO. 218 PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the North End Police Station and Garage, located at 2475 Greenwich Street, Lot 15 in Assessor's Block 513, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a Landmark will further the purposes of and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation: Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the is hereby designated as Landmark No. 218. This designation having been fully approved by Resolution No. 14066 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 90-96-1 and is incorporated herein and made a part of hereof as though fully set forth.

(b) Required Data:

SUPERVISORS TENG, BIERMAN

(1) The description of the location and boundaries of the Landmark site is the North End Police Station and Garage located at 2475 Greenwich Street, being Lot 15 within Assessor's Block 513.

(2) The characteristics of the Landmark which justify its designation are described and shown in the photographs and other materials on file in the Planning Department Docket No. 95.387L and the Landmarks Preservation Advisory Board's (hereafter Landmarks Board) Final Case Report contained in Docket No. 95.387L.

(3) The particular features that should be preserved are those shown in the photographs on file in Planning Department Docket No. 95.387L and described in the Landmarks Board's Final Case Report, in Section A, entitled "Architecture," Subsection No. 4, "Design" and in Section D, "Integrity," Subsection No. 13, "Alterations," said photographs and Case Report are incorporated in this designating ordinance as though fully set forth.

//

//

APPROVED AS TO FORM:

LOUISE H. RENNE

CITY ATTORNEY

By _____

Deputy City Attorney

RECOMMENDED:

CITY PLANNING COMMISSION

By _____

Lu Blazej

Director of Planning

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1996	April 22, 1996
Ayes: Supervisors Alioto Ammiano Bierman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Hsieh Kaufman	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____

Clerk

File No. 90-96-1

APR 24 1996

Date Approved

_____

Mayor

DOCUMENTS DEPT.

MAY 07 1996

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As amended in committee
April 9, 1996.

FILE NO. 97-96-10 ORDINANCE NO. 159-96

[Prohibiting City Business With Burma]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 12J, SECTIONS 12J.1 TO 12J.9 THERETO TO PROHIBIT CONTRACTS FOR PERSONAL SERVICES WITH THOSE WHO DO BUSINESS IN OR WITH BURMA (MYANMAR), AND PROHIBIT THE PURCHASE OF COMMODITIES PRODUCED IN BURMA (MYANMAR) OR PROVIDED BY THOSE WHO DO BUSINESS IN OR WITH BURMA (MYANMAR).

Note: This section is entirely new

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding sections 12J.1 to 12J.9, to read as follows:

SEC. 12J.1. FINDINGS.

A. Because the quality of life of all people is diminished when peace and justice are not fully present in the world, local communities have the responsibility to take positive steps to support the rule of law and to help end injustices and egregious violations of human rights wherever they may occur.

B. The nation of Burma (Myanmar) has institutionalized torture and rape as political instruments, and embarked upon

campaigns of forcible relocation, forced labor and slavery, and persecution of ethnic minorities, and other human rights violations, thereby denying the majority of the population the right to participate in the political process, to benefit from the system of justice, or to exercise economic rights.

C. The military regime of Burma (Myanmar) has implemented a reign of terror preventing political participation by various methods, including (1) ignoring the results of the 1990 elections in which pro-democracy candidates received over 60% of the vote and over 80% of the seats in the government; (2) forcing the imprisonment, death, or exile of many of these candidates; (3) failing to convene a Constitutional Convention as promised in 1990; (4) imposing martial law barring freedom of the press and gatherings of more than five people and declaring that "martial law means no law at all"; (5) forcibly relocating hundreds of thousands of people, including those in neighborhoods with strong pro-democracy support, ethnic minorities including the Muslim Rohingyas, and indigenous groups in areas rich with extractive resources, to locales in which malaria and other diseases are rampant and where food, water and sewage are scarce, if available at all; (6) barring all labor and trade union organizing and

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implementing forcible labor for the purposes of road and tourist site construction, portering of military goods and human mine-sweeping; (7) pressuring the governments of Thailand and Bangladesh to force refugees back to Burma (Myanmar) in exchange for continuing sales of resources such as timber, fishing concessions and natural gas; (8) harming men, women and children of Burma by pillaging villages and townships and by attacking and burning refugee camps; and (9) persecuting Buddhist monks for their support of pro-democratic organizing.

D. The military regime is currently attempting to enhance its standing in the international community and to increase the flow of foreign money and investment through various means, including the development of massive natural gas fields offshore and the construction of a gas pipeline through areas traditionally held by ethnic minorities, forcing their displacement.

E. The rightfully elected leadership of Burma, the National Coalition Government of the Union of Burma (NCGUB), winners of the 1990 elections, living in exile, have called upon the world community to impose economic and arms sanctions against the State Law and Order Restoration Council (SLORC). The NCGUB's call for sanctions is supported by Nobel Peace Prize Laureates Oscar Arias

Sanchez, the Dalai Lama, Mairead McGuire, Archbishop Desmond Tutu, Betty Williams, Adolpho Perez Esquivel and others, and by the AFL-CIO.

F. The United Nations and elected representatives of the United States, including President Clinton, the Senate, and the House of Representatives, have repeatedly shown support for the peoples of Burma, urging SLORC to release all political prisoners, to respect the results of the May 1990 elections and to commit to genuine democratic reforms. Section 138 of the U.S. Customs and Trade Act of 1990 instructs the president to impose comprehensive trade sanctions against Burma's military regime. Section 2651 (United States Policy Concerning the Dictatorship in Burma) of the sanctions amendment to the 1996 foreign aid bill, H.R. 1564, has been approved by the Senate and bans all U.S. trade with, investment in and travel to Burma (Myanmar).

G. The United States Supreme Court has upheld the power of a municipality to make legitimate economic decisions without being subject to the restraints of the Commerce Clause when it participates in the market place as opposed to exerting its regulatory powers.

H. The City and County of San Francisco declares the right to measure the moral character of its business partners in determining with whom it seeks to have business relations or to whom it grants privileges.

I. The system of oppression by SLORC is illegal and contrary to international laws and covenants. It being morally repugnant to the citizens of San Francisco, the Board of Supervisors does hereby set forth a municipal policy prohibiting contracts for personal services with those who do business in Burma (Myanmar), and prohibiting the purchase of any commodities produced in Burma (Myanmar), or provided by those who do business, maintain facilities, or are organized under SLORC's rule.

SEC. 12J.2. DEFINITIONS. As used in this Chapter, the following words and phrases shall have the meanings indicated herein:

A. "City" or "City and County" shall mean the City and County of San Francisco, or any department, board, commission or agency thereof.

B. "Commodities" shall include, but not be limited to, goods, commodities, materials, supplies, vehicles, machinery, and equipment.

C. "Contract" shall include, but not be limited to, any contract, purchase order, term purchase agreement or other binding written obligation of the City.

D. "Contracting officer" shall mean that officer or employee of the City authorized under the Charter, the Administrative Code or the Municipal Code, to enter into a contract on behalf of the City.

E. "Contractual Services," for purposes of Section 12J.3, shall mean investment counseling, underwriting, acting as a trustee or escrow agent, providing any consulting advice or assistance under a professional or personal service contract, and services provided pursuant to any contract subject to Charter Section 8.300-1. "Contractual Services" shall not include purchase orders, term purchase agreements or other agreements of the City for the purchase of a commodity under Section 12J.4.

F. "The government of Burma (Myanmar)" or "Burma (Myanmar)" shall mean any public or quasi-public entity sanctioned by the State Law and Order Restoration Council ("SLORC") operating within Burma, including, but not limited to, municipal, provincial, or other governing bodies operating as proxy of SLORC, including all departments and agencies of such bodies, public utilities, public

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facilities, or any national corporation in which the public sector of Burma (Myanmar) has a financial interest or operational responsibilities.

G. "Prohibited Person or Entity" shall mean any person or entity designated by the Investor Responsibility Research Center ("IRRC") as having investments or employees in Burma, or any person or entity that ~~engages in a joint venture through which it does business in Burma (Myanmar).~~ licenses any person or entity organized under the laws of Burma (Myanmar) to produce and market its products. The Purchaser (1) shall develop a list of prohibited persons or entities pursuant to the terms of this paragraph, and (2) shall have the authority to delete from such list any person or entity designated by the IRRC as having investments or employees in Burma if any such entity demonstrates to the Purchaser's satisfaction that such designation is erroneous.

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H. "Purchaser" shall mean the Purchaser of the City and County or any authorized representative of that official.

SEC. 12J.3. CONTRACTUAL SERVICES, REAL AND PERSONAL PROPERTY AGREEMENTS.

A. Prohibited Transactions. The City shall not enter into, amend, modify or renew any agreement for contractual services or any lease, permit, license or other agreement for the use or sale

of the City's real or personal property, with any prohibited person or entity.

B. Contract Condition. Each contract for services or for the use or sale of the City real or personal property shall include as a material condition to that agreement the following paragraph:

> Contractor is not the government of Burma (Myanmar), a person or business entity organized under the laws of Burma (Myanmar) or a "prohibited person or entity" as defined in Section 12J.2(G) of the San Francisco Administrative Code. The City reserves the right to terminate this contract for default if the contractor violates the terms of this clause.

C. A person or entity shall not be a prohibited person or entity under Subsection A above so long as such person or entity is only performing contractual services necessary to complete a specific project in Burma (Myanmar) initiated prior to May 1, 1996, and so long as the scope of the project is not enlarged and modification of an existing contract only is involved, and provided that the term, or remaining term, of the contract is not greater than five years from May 1, 1996.

D. Nonapplicability; Findings; Alternate Selection.

1. Section 12J.3 shall not apply to bid packages advertised and made available to the public or any competitive and sealed bids

received by the City or to contracts for contractual services entered into prior to May 1, 1996.

2. The provisions of Section 12J.3 shall not apply to contracts for an aggregate value of $10,000 or less; to leases, permits, licenses or other agreements for the use of the City's real or personal property entered into prior to May 1, 1996, or having a monthly rental payment of $100 or less or having a duration of 30 days or less in any calendar year, whether by single or cumulative instrument; to any transaction allowing access to or use of City real property upon purchase of an admission ticket; or to permits for the use of City streets for temporary periods of construction of improvements on abutting private real property; to leases, permits, licenses or other agreements that renew existing easements or rights-of-way over real property owned by the City between the City and a party holding the easement or right-of-way as of May 1, 1996, provided that the agreements do not permit the building of new facilities on City land or a change in the character of its use.

3. Section 12J.3 shall not apply to any amendment, modification or renewal of a contract entered into prior to May 1, 1996 and any amendment thereto where necessary for the timely

completion of a project and not involving an increase in the total moneys to be paid by the City under that contract.

4. The provisions of Section 12J.3 shall not apply where the contracting officer finds that:

(a) No person or entity doing business in the City which is not a prohibited person or entity under Section 12J.2(G) is capable of performing the desired function(s);

(b) The City will incur a financial loss which in the opinion of the contracting officer would violate his or her fiduciary duties. For purposes of this section, prima facie evidence of a breach of fiduciary duty shall mean a financial loss of ten percent (10%) of a contract's value or $10,000, whichever is less;

(c) The inclusion or application of such provisions will violate or be inconsistent with the terms or conditions of a grant, subvention or contract with an agency of the State of California or the United States or the instructions of an authorized representative of any such agency with respect to any such grant, subvention or contract; or

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(d) The inclusion or application of such provisions will violate or be inconsistent with the laws, rules or regulations of the State of California or the United States of America.

SEC. 12J.4. PURCHASE OF COMMODITIES.

A. Prohibited Transactions.

1. The City shall not purchase any commodity from the government of Burma (Myanmar), or a prohibited person or entity.

2. The City shall not purchase any commodity made in Burma (Myanmar). A commodity shall be considered made in Burma (Myanmar) if it is manufactured, produced or grown in Burma (Myanmar), or if further work or material manufactured, produced or grown in Burma (Myanmar) is added to a commodity which effects a substantial transformation of that commodity. Interpretation of this Section shall be consistent with statutes and regulations of the United States regarding markings of commodities by country of origin pursuant to 19 CFR 134.

3. Performing contractual services necessary to complete a specific project in Burma (Myanmar) initiated prior to May 1, 1996 shall not be deemed doing business in Burma (Myanmar), so long as the scope of the project is not enlarged and modification of any

existing contract only is involved, and provided that the term, or remaining term of the contract is not greater than five years from May 1, 1996.

B. Contract Condition. Each contract for the supply of a commodity to the City shall include as a material condition to that agreement the following paragraph in the contract:

> Seller is not the government of Burma (Myanmar), a person or business entity organized under the laws of Burma (Myanmar) or a "prohibited person or entity" as defined in Section 12J.2(G) of the San Francisco Administrative Code. The item(s) sold in this contract (purchase order) to the City and County of San Francisco is (are) not made in Burma (Myanmar) as defined in Section 12J.4(A) of the San Francisco Administrative Code. The City reserves the right to terminate this contract for default if the contractor furnishes items made in Burma (Myanmar).

C. Exceptions. This Section shall not apply to:

1. Any binding contractual obligation for purchase of commodities entered into prior to May 1, 1996;

2. The purchase of any commodity for which Burma (Myanmar) is the only source; or any commodity made outside Burma (Myanmar) but for which the only source is an entity organized under the laws of or doing business in Burma (Myanmar);

3. Any contract for the purchase of commodities of an aggregate value of less than $10,000;

4. Where the contracting officer finds that no person or entity doing business in the City that is not a prohibited person or entity is capable of providing the desired commodity;

5. Any contract, purchase order or term purchase agreement wherein the City will incur a financial loss which in the opinion of the contracting officer would violate his or her fiduciary duties. For purposes of this section, prima facie evidence of a breach of fiduciary duty shall mean a financial loss of ten percent (10%) of a contract's value or $10,000, whichever is less; or

6. Where the inclusion or application of such provisions will violate or be inconsistent with the terms or conditions of a grant, subvention or contract with an agency of the State of California or the United States or the instructions of an authorized representative of any such agency with respect to any such grant, subvention or contract.

SEC. 12J.5. RULES AND REGULATIONS.

A. The Purchaser or department head of a department, board or commission authorized to sell or lease City-owned property, whichever is appropriate, may promulgate any rules and regulations necessary or appropriate to carry out the purposes and requirements

of this ordinance. Each City department, board and commission shall cooperate with, and provide in writing to the Purchaser, all information necessary for the Purchaser to promulgate such rules and regulations.

B. All contracts and other similar written agreements shall incorporate this Chapter by reference whenever applicable and shall provide that the failure of any bidder or contractor to comply with any of its requirements shall be deemed a material breach of contract.

SEC. 12J.6. PUBLIC RECORDS. All reports prepared pursuant to the requirements of this ordinance shall be made available for public inspection except those prepared for purposes of litigation.

SEC. 12J.7. PENALTIES.

A. Whenever a person or entity being considered for a contract or under contract with the City makes representations regarding its involvement in Burma (Myanmar) that are found by the City after an investigation by the contracting officer and the City Attorney to be false, the City shall have the authority to impose such sanctions or take such other actions as are designed to ensure compliance with the provisions of this Chapter which shall include, but are not limited to:

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1. Refusal to certify the award of a contract;

2. Order the suspension of a contract;

3. Order the withholding of funds;

4. Order the revision of a contract based upon a material breach of contract provisions pertaining to statements made under the declaration;

5. Disqualification of a bidder or contractor from eligibility for providing commodities or services to the City for a period not to exceed five years, with a right to review and reconsideration by the contracting City office or department after two years upon a showing of corrective action indicating violations are not likely to reoccur.

B. All contracts shall provide that in the event any bidder or contractor fails to comply in good faith with any of the provisions of this Chapter the bidder or contractor shall be liable for liquidated damages for each violation in an amount equal to the bidder's or contractor's net profit of the contract, or 10 percent of the total amount of the contract or $1,000 whichever is greatest. All contracts shall also contain a provision whereby the bidder or contractor acknowledges and agrees that the liquidated damages assessed shall be payable to the City upon demand and may

be set off against any moneys due to the bidder or contractor from any City contract.

SEC. 12J.8. IMPLEMENTATION REPORTS. The Purchaser and all department heads for departments, boards or commissions authorized to sell or lease City-owned property shall provide written reports on the implementation of this ordinance to the Board of Supervisors as follows:

1. At the first Board of Supervisors meeting held one year after this Chapter has been in effect; and

2. Annually thereafter.

Each City department, board and commission shall provide in writing all information necessary to prepare such reports.

SEC. 12J.9. SEVERABILITY. If any section, subsection, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court or federal or State agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: 

G. SCOTT EMBLIDGE
Deputy City Attorney

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1996	April 22, 1996
Ayes: Supervisors Alioto Ammiano Bierman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Hsieh Kaufman	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-96-10

APR 24 1996
Date Approved

Mayor

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FILE NO. 155-96-2

ORDINANCE NO. 160-96

RO #95177

[Reward Authorization]

AUTHORIZING PAYMENT OF REWARD TO DOE ONE AND DOE TWO:

NOTE: This material is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Thousand Dollars ($5,000) payable to Doe One for supplying information leading to the arrest and conviction of the perpetrator who murdered 13 year old Alexis McNeal on April 4, 1994.

Section 2. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Thousand Dollars ($5,000) payable to Doe Two for supplying information leading to the arrest and conviction of the perpetrator who murdered 13 year old Alexis McNeal on April 4, 1994.

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BOARD OF SUPERVISORS

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

FUNDS AVAILABLE:

CONTROLLER

1G AGF AAA GE GEN POL
975025 05311 $10,000.00

MAR 2 0 1996

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 15, 1996	$	April 22, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kennedy Leal Shelley Teng Yaki	$	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
	$	
Absent: Supervisor Kaufman	$	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
155-96-2

APR 24 1996
Date Approved

Mayor

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FILE NO. 115-96-2 ORDINANCE NO. 161-96

(Van Ness Special Use District)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) TO AMEND SECTION 243 VAN NESS SPECIAL USE DISTRICT TO PROHIBIT ADULT ENTERTAINMENT ENTERPRISES AS DESCRIBED IN SECTION 221(k), AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

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Note: Section 1 is an amendment, additions are underlined; there are no deletions. Section 2 is new.

Be it ordained by the People of the City and County of San Francisco;

Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Section 243 to read as follows:

SEC. 243. VAN NESS SPECIAL USE DISTRICT. (a) **General.** A Special Use District entitled the Van Ness Special Use District, the boundaries of which are shown on Sectional Map No. 2su of the Zoning Map, is hereby established for the purposes set forth below.

(b) **Purposes.** In order to implement the objectives and policies of the Van Ness Avenue Plan, a part of the Master Plan, which includes (i) creation of a mix of residential and commercial uses on the boulevard, (ii) preservation and enhancement of the pedestrian environment, (iii) encouragement of the retention and

appropriate alteration of architecturally and historically significant and contributory buildings, (iv) conservation of the existing housing stock, and (v) enhancement of the visual and urban design quality of the street, the following controls are imposed in the Van Ness Special Use District.

(c) **Controls.** All provisions of the City Planning Code applicable to an RC-4 District shall apply except as otherwise provided in this Section.

(1) **Basic Floor Area Ratio.** The basic floor area ratio limit shall be 7.0 to 1 in the 130 foot height district and 4.5:1 in the 80 foot height district. These limits shall apply to dwellings notwithstanding Section 124(b) of this Code, but shall not apply to floor space used for non-accessory off-street parking and driveways and maneuvering areas incidental thereto provided such parking is located entirely below curb level at the centerline of the building containing such parking and replaces parking spaces displaced by the building or buildings. For definitions of floor area ratio and gross floor area, see Sections 102.10 and 102.8, respectively. The provisions allowing a floor area premium set forth in Section 125(a) shall not apply in the Van Ness Special Use District.

(2) **Housing Density.** The restrictions on density set forth in Sections 207, 207.1, 208, 209.1 and 209.2 of this Code shall not apply.

(3) **Height and Bulk Restrictions.** See Height and Bulk Map No. 2H. See Section 270 of this Code for bulk limits.

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(4) Awnings, canopies and marquees, as defined in Sections 790.20, 790.26 and 790.58 of this Code, and further regulated by the Building Code and Sections 243(c)(5), 136.2 and 607.3 of this Code, are permitted.

(5) **Signs.** Signs located within the Van Ness Special Use District, with the exception of the Civic Center Special Sign District as described in Section 608.3 of this Code and as shown in Sectional Map SSD, shall be regulated as provided in Article 6, including Section 607.3 which governs signs located in the Van Ness Special Sign District.

(6) **Rear Yards.** The requirements of this Code applicable to rear yards may be modified or waived by the Zoning Administrator pursuant to Section 307(g) if all of the following conditions are met:

(A) The interior block open space formed by the rear yards of abutting properties will not be adversely affected; and

(B) A comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to residents; and

(C) The access of light and air to abutting properties will not be significantly impeded.

This provision shall be administered pursuant to the procedures which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2 of this Code.

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(7) **Required Setbacks.** Setbacks for buildings exceeding a height of 40 feet shall be regulated as provided in Section 253.2 of this Code.

(8) **Limitation of Nonresidential Uses.**

(A) **Residential Uses; Ratio Established.** In newly constructed structures, nonresidential uses shall only be permitted if the ratio between the amount of net additional occupied floor area for residential uses, as defined in this paragraph below, to the amount of occupied floor area for nonresidential uses in excess of the occupied floor area of structures existing on the site at the time the project is approved is 3 to 1 or greater. In additions to existing structures which exceed 20 percent of the gross floor area of the existing structure, nonresidential uses shall be permitted in the addition in excess of 20 percent only if the ratio between the amount of occupied floor area for residential use, as defined in this paragraph below, to the area of occupied floor area for nonresidential use is 3 to 1 or greater. This residential use ratio shall not apply to development sites in the Van Ness Special Use District which have less than 60 feet of street frontage on Van Ness Avenue and have no street frontage other than the Van Ness Avenue frontage. For purposes of this Section, "nonresidential uses" shall mean those uses described in Sections 209.2(d) and (e) (hotel, inn, hostel), 209.3(a) (hospital, medical center or other medical institution with in-patient care facilities), 209.4 (community facilities), 209.6 (public facilities and utilities),

209.7 (vehicle storage and access) and 209.8 (commercial establishments); in the Automotive Special Use District nonresidential uses include automotive uses as described in Section 237; "residential use" shall mean those uses described in Sections 209.1 and 209.2(a), (b) and (c) (dwelling units and group housing).

(B) Reduction of Ratio of Residential Uses for Affordable Housing. The City Planning Commission may modify the Van Ness Special Use District residential to nonresidential use ratio between Golden Gate Avenue and California Street as a conditional use in one of the following ways:

(i) In-Lieu Fee. By conditional use, the developer may elect to fulfill the obligation to build housing by paying an in-lieu fee to the Affordable Housing Fund as provided in Section 313 of this Code. No more than a 50 percent reduction of the required housing for a specific project can be fulfilled by paying an in-lieu fee. Use of these funds shall provide affordable housing within 2,000 feet of the Van Ness Special Use District. The in-lieu fee shall be determined by the following formula:

(1) ((Lot Area × FAR) / 4) × 3 = Residential SQFT Requirement.

(2) Residential SQFT Requirement - Residential SQFT Developed = LOSS.

(3) LOSS × $15 = In-Lieu Fee.

(ii) Providing Affordable Housing. By conditional use, the developer may reduce up to 50 percent of the required amount of on-site housing by maintaining a portion of that housing as

permanently affordable for the life of the project. Affordable units shall be managed by a nonprofit housing agency through a duly executed agreement between the project sponsor, the nonprofit agency and the Planning Department. The mix of affordable units retained in the project shall conform to the overall dwelling unit size mix of the project. The portion of retained residential which shall be affordable will be determined by calculating the number of market rate units which could be subsidized by the amount of "in-lieu fee" calculated in Paragraph (i) above. The number of square feet of affordable housing shall be calculated in the following manner:

(1) In-Lieu Fee/($30/square foot subsidy) = Square Feet of Affordable Housing Retained in the Project.

(iii) Annual Reporting, Evaluation and Adjustments to Affordability and Fee Calculations. The Department shall report annually to the Planning Commission on the activity and utilization of Section 243(c)(7)(B). Based on an evaluation of this report, the Planning Commission may initiate a modification or deletion of Section 243(c)(7)(B).

The dollar amounts used in the calculation for Paragraphs (i) and (ii) of this Subsection shall be subject to annual adjustments in accord with Section 313(f)(1) of this Code. Affordability shall be defined by rents or sale prices affordable by households with no more than 80 percent of median income standards developed by HUD.

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(iv) If the Commission finds that taking into consideration projects constructed since the effective date of the Van Ness Special Use District and the housing development potential remaining in the District the overall objective of adding a substantial increment of new housing on Van Ness Avenue will not be significantly compromised, the Commission may by conditional use modify the 3:1 housing ratio or may modify the rules regarding the timing and location of linked projects if in addition to Section 303(c) standards of this Code it finds that:

(1) The project is to provide space for expansion of an established business from an adjacent site (for this purpose two sites separated by an alley shall be deemed to be adjacent) or,

(2) The project is to provide space for an institutional, hotel, medical, cultural or social service use meeting an important public need which cannot reasonably be met elsewhere in the area, and

(3) Housing cannot reasonably be included in the project referred to in (1) and (2) above.

The Commission shall consider the feasibility of requiring the project to be constructed in such a manner that it can support the addition of housing at some later time.

(C) **Off-Site Provision of Required Residential Space.** For the purpose of calculating the 3 to 1 ratio between residential and nonresidential use, two or more projects for new construction within the Van Ness Special Use District may be considered and

approved together as linked projects. The requirements of Paragraph (A) above may be satisfied if the aggregate amount of occupied floor area for residential use in two or more linked projects is at least three times greater than the aggregate amount of occupied floor area for nonresidential use.

(i) Those building permit applicants who wish to link two or more projects for the purpose of meeting the 3 to 1 residential to nonresidential ratio shall file with the Department of City Planning a statement of intent identifying the applications covering the projects that are to be considered and approved together;

(ii) When the Department of City Planning approves an application for a project containing only nonresidential use and the project is linked to one or more other projects pursuant to the statement of intent filed with the Department, it shall include as a condition of approval a requirement prohibiting the project sponsor from commencing any work on the site until the Zoning Administrator issues a written determination that such work may proceed. The Zoning Administrator shall not issue such a determination until those permits authorizing the projects containing residential use have been issued and foundations have been completed at each such site;

(iii) If a permit for a project containing nonresidential use expires because of delays in the completion of foundations for linked projects containing residential uses, new permits may be

approved for the nonresidential project within three years of such expiration without regard to the 3 to 1 residential ratio requirement if a Temporary Certificate of Occupancy or a Permit of Occupancy has been issued for each project containing residential use;

(iv) No building or portion of a building approved as a linked project that contains residential use required to meet the 3 to 1 residential to nonresidential ratio requirement shall be used for any nonresidential purposes; provided, however, that this restriction shall no longer apply if 50 percent or more of the nonresidential occupied floor area in the linked projects has been converted to residential use, or has been demolished, or has been destroyed by fire or other act of God;

(v) The Zoning Administrator shall impose as a condition of approval of a permit authorizing the residential uses of linked projects the requirement that the owner record in the land records of the property a notice of restrictions, approved as to form by the Zoning Administrator, placed on the use of the property by this Section.

(D) **Nonconforming Uses.** A use which existed lawfully at the effective date of this Section and which fails to conform to the use limitation of Section 243(c)(8)(A) above, shall be considered a nonconforming use and subject to the provisions of Sections 180 - 188 of this Code, including the provisions of Section 182 regarding change of use, except as follows:

(i) In calculating the cost of structural alterations pursuant to Section 181(b)(4), the cost of reinforcing the building to meet the standards for seismic loads and forces of the 1975 Building Code shall not be included; and

(ii) Notwithstanding the provisions of Section 181(b), the structure occupied by the nonconforming use may be enlarged by an amount equal to 20 percent of the gross floor area of the existing structure.

(E) **Ground Story Uses.** Parking shall not be permitted on the ground story of lots abutting Van Ness Avenue to a depth of 25 feet from Van Ness Avenue. At least 1/3 the total width of structures at the ground story on lots abutting Van Ness Avenue shall be devoted to entrances, windows or display space. Every window located at the ground story shall use clear, untinted glass, except for decorative or architectural accent. Any decorative railings or grillwork, other than wire mesh, shall be at least 75 percent open to view and no more than six feet in height above grade. For the purposes of this Section, "ground story" shall be defined as the portion of a building included between the upper surface of the lowest floor and the upper surface of the floor next above, provided such floor level is not more than four feet below grade for more than 50 percent of the total perimeter, or more than eight feet below grade at any point.

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(F) **Fast Food Uses.** A large fast food restaurant as defined in Section 790.90 of this Code shall be permitted only as a conditional use.

A small self-service restaurant, as defined in Section 790.91 of this Code, shall be permitted only as a conditional use unless such restaurant is a related minor use which is either necessary to the operation or enjoyment of a lawful principal use or conditional use, or is appropriate, incidental and subordinate to any such use, in which case it shall be permitted as an accessory use.

(G) **Drive-Up Facilities.** Drive-up facilities are not permitted. For the purposes of this Section, "drive-up facilities" shall be defined as structures designed primarily for drive-to or drive-through trade which provides service to patrons while in private motor vehicles.

(H) **Demolitions.** All demolitions of buildings containing residential use and all conversions from residential uses to nonresidential uses above the ground floor shall be permitted only if authorized as a conditional use under Section 303 of this Code, unless the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines that the building is unsafe or dangerous and that demolition is the only feasible means to secure the public safety. When considering whether to grant a conditional use permit for the demolition or conversion, in lieu of the criteria set forth in Planning Code Section 303, consideration shall be given to the

adverse impact on the public health, safety and general welfare of the loss of housing stock in the district and to any unreasonable hardship to the applicant if the permit is denied. The definition of residential use shall be as set forth in Section 243(c)(8)(A), but shall not include any guest room in a building classified as a residential hotel subject to the Residential Hotel Unit Conversion and Demolition Ordinance.

A conditional use permit shall not be required if the demolition permit is sought in order to comply with a court order directing or permitting the owner to demolish a building because it is unsafe. No person shall be permitted to construct anything on the site of a demolished building subject to such an order for a period of two years unless (a) the proposal is for at least the same number and size of dwelling units and guest rooms and the same amount of nonresidential floor area as that which was demolished or (b) the applicant requests and is granted an exemption from this requirement on the ground that the applicant has demonstrated that (1) the need for demolition did not arise because of the deliberate or unreasonable neglect of the maintenance of the building, or that (2) the restrictions would cause undue hardship to the property owner or that (3) the restrictions would leave the property without any substantial remaining market value or reasonable use.

(I) **Parking.** Pursuant to Table 151 in Article 1.5 of this Code, the residential parking requirement shall be one space for each dwelling unit; provided, however, that the parking requirement may

be reduced to not less than one space for each four dwelling units, if the Zoning Administrator determines that the reduced parking requirement is sufficient to serve the reasonably anticipated auto usage by residents and visitors to the project. The procedures and fee for such review shall be the same as those which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2.

(9) Reduction of Ground Level Wind Currents.

(A) New buildings and additions to existing buildings shall be shaped, or other wind baffling measures shall be adopted, so that the development will not cause year-round ground level wind currents to exceed, more than 10 percent of the time, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of pedestrian use and seven m.p.h. equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort levels specified above, the building shall be designed to reduce the ambient wind speeds in efforts to meet the goals of this requirement.

(B) An exception to this requirement may be permitted but only if and to the extent that the project sponsor demonstrates that the building or addition cannot be shaped or wind baffling measures cannot be adopted without unduly restricting the development potential of the building site in question.

(i) The exception may permit the building or addition to increase the time that the comfort level is exceeded, but only to

the extent necessary to avoid undue restriction of the development potential of the site.

(ii) Notwithstanding the above, no exception shall be allowed and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 m.p.h. for a single hour of the year.

(C) For the purposes of this Section, the term "equivalent wind speed" shall mean an hourly wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians. (Added by Ord. 537-88, App. 12/16/88; amended by Ord. 79-89, App. 3/24/89; Ord. 312-92, App. 10/9/92)

(J) Adult Entertainment Enterprises. The uses described in Section 221(k) of this Code are not permitted.

Section 2. PROPOSITION M FINDINGS. The Board of Supervisors, having reviewed the proposed legislation after hearing public testimony, finds and declares that this ordinance is in conformity with the priority policies of Section 101.1(b) of the City Planning Code and with the City's Master Plan, and hereby adopts the findings of the City Planning Commission, as set forth in Resolution No. 14037, and incorporates said findings by reference.

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DOCUMENTS DEPT.
MAY 07 1996
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APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Judith A. Bojajian
Deputy City Attorney

CITY LIBRARIAN
PUBLIC LIBRARY
DOCUMENTS DEPARTMENT
CIVIC CENTER LIBRARY
(2 copies of all Leg.)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 15, 1996	April 22, 1996
Ayes: Supervisors Alioto Ammiano Bierman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisors Hsieh Kaufman	Absent: Supervisors Bierman Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
115-96-2

APR 24 1996
Date Approved

Mayor

FILE NO. 93-96-3 ORDINANCE NO. 162-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CEMENT MASONS UNION, LOCAL 580 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Cement Masons Union, Local 580 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 22, 1996	$	April 29, 1996
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	$	Bierman Hsieh Kaufman Kennedy
Leal Shelley Teng Yaki	$	Leal Teng Yaki
	$	
	$	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Fum
Acting Clerk

File No. 93-96-3

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-96-4 ORDINANCE NO. 163-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE GLAZIERS, ARCHITECTURAL METAL AND GLASS WORKERS UNION, LOCAL 718 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Glaziers, Architectural Metal and Glass Workers Union, Local 718 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley
BOARD OF SUPERVISORS
M:\LABOR\VCLAYTON\ORDINANC\GLAZ696.DOC 9 APR 96

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 22, 1996	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 93-96-4

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 93-96-5 ORDINANCE NO. 164-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE INTERNATIONAL BROTHERHOOD OF PAINTERS AND ALLIED TRADES, LOCAL 4 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the International Brotherhood of Painters and Allied Trades, Local 4 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 22, 1996	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean L. Lum
Acting Clerk

File No. 93-96-5

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

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PUBLIC LIBRARY

FILE NO. 93-96-7 ORDINANCE NO. 165-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN FRANCISCO INSTITUTIONAL POLICE OFFICERS ASSOCIATION AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the San Francisco Institutional Police Officers Association and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
April 22, 1996	$	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	$	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	$	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 93-96-7

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

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PUBLIC LIBRARY

FILE NO. 93-96-8 ORDINANCE NO. 166-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE IRONWORKERS-BRIDGE, STRUCTURAL ORNAMENTAL AND REINFORCED, LOCAL UNION 377 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Ironworkers-Bridge, Structural Ornamental and Reinforced, Local Union 377 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 22, 1996	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lamm
Acting Clerk

File No. 93-96-8

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

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FILE NO. 93-96-9 ORDINANCE NO. 167-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE PILE DRIVERS, DIVERS, CARPENTERS, BRIDGE, WHARF & DOCK BUILDERS, LOCAL UNION NO. 34 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Pile Drivers, Divers, Carpenters, Bridge, Wharf & Dock Builders, Local Union No. 34 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 22, 1996	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Fuen
Acting Clerk

File No. 93-96-9

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

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FILE NO. 93-96-10 ORDINANCE NO. 168-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPE FITTING INDUSTRY, LOCAL UNION NO. 38 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union No. 38 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
April 22, 1996	$	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	$	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	$	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jane Lum
Acting Clerk

File No. 93-96-10

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

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FILE NO. 93-96-11 ORDINANCE NO. 169-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES & MOVING PICTURE MACHINE OPERATORS OF THE UNITED STATES AND CANADA, LOCAL 16 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the International Alliance of Theatrical Stage Employees & Moving Picture Machine Operators of the United States and Canada, Local 16 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY
Vicki A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 22, 1996	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Fum
Acting Clerk

File No. 93-96-11

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

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FILE NO. 93-96-12 ORDINANCE NO. 170-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE ROOFERS, LOCAL 40 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Roofers, Local 40 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Page 1 of 1
4/9/96

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 22, 1996	$	April 29, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	$	Bierman Hsieh Kaufman Kennedy
Leal Shelley Teng Yaki	$	Leal Teng Yaki
	$	
	$	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 93-96-12

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

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FILE NO. 93-96-13 ORDINANCE NO. 171-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE BAY COUNTIES DISTRICT COUNCIL OF CARPENTERS, CARPENTERS, LOCAL 22 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Bay Counties District Council of Carpenters, Carpenters, Local 22 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 22, 1996	$	April 29, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	$	Bierman Hsieh Kaufman Kennedy
Leal Shelley Teng Yaki	$	Leal Teng Yaki
	$	
	$	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 93-96-13

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 13 1996
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FILE NO. 93-96-14 ORDINANCE NO. 172-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE LABORERS INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 261 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Laborers International Union of North America, Local 261 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 22, 1996	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-96-14

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

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FILE NO. 93-96-15 ORDINANCE NO. 173-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE PENINSULA AUTOMOTIVE MECHANICS LODGE, NO. 1414, INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS, AFL-CIO AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Peninsula Automotive Mechanics Lodge, No. 1414, International Association of Machinists & Aerospace Workers, AFL-CIO and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 22, 1996	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No. 93-96-15

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.
MAY 13 1996
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FILE NO. 93-96-16 ORDINANCE NO. 174-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE OPERATING ENGINEERS LOCAL UNION NO. 3 OF THE INTERNATIONAL UNION OF OPERATING ENGINEERS, AFL-CIO AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 22, 1996	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Fum
Acting Clerk

File No. 93-96-16

MAY - 1 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

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PUBLIC LIBRARY

FILE NO. 93-96-17 ORDINANCE NO. 175-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE BRICKLAYERS,STONE MASONS, TERRAZZA MECHANICS, MARBLE MASONS, POINTERS, CAULKERS AND CLEANERS, LOCAL 3/HODCARRIERS, LOCAL 36 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Bricklayers,Stone Masons, Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3/Hodcarriers, Local 36 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vicki A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 22, 1996	April 29, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki
	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Fund
Acting Clerk

File No. 93-96-17

MAY - 1 1996
Date Approved

Mayor

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FILE NO. 93-96-18 ORDINANCE NO. 176-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN OPERATING ENGINEERS, LOCAL 3 BARGAINING FOR SUPERVISING PROBATION OFFICERS AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Operating Engineers, Local 3 bargaining for Supervising Probation Officers and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julie A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 22, 1996	§	April 29, 1996
	§	
	§	
Ayes: Supervisors Alioto Ammiano	§	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	§	Bierman Hsieh Kaufman Kennedy
Leal Shelley Teng Yaki	§	Leal Teng Yaki
	§	
	§	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lyons
Acting Clerk

File No. 93-96-18

MAY - 1 1996
Date Approved

Mayor

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FILE NO. 93-96-19 ORDINANCE NO. 177-96

(MEMORANDUM OF UNDERSTANDING)

AN ORDINANCE IMPLEMENTING THE PROVISIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE PLASTERERS AND SHOPHANDS, LOCAL 66 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Pursuant to Charter sections 8.409 et seq. the Board of Supervisors hereby implements those provisions of the Memorandum of Understanding within the Board of Supervisors charter authority between the Plasterers and Shophands, Local 66 and the City and County of San Francisco to be effective July 1, 1996 through June 30, 1997. A copy of the Memorandum of Understanding so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

Supervisor Shelley

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading

April 22, 1996

Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy
Leal Shelley Teng Yaki

Finally Passed

April 29, 1996

Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy
Leal Teng Yaki

Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan Lamb
Acting Clerk

File No.
93-96-19

MAY - 1 1996
Date Approved

Mayor

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FILE NO. 93-96-20 ORDINANCE NO. 178-96

(Unrepresented Employees)

AN ORDINANCE FIXING COMPENSATION FOR PERSONS EMPLOYED BY THE CITY AND COUNTY OF SAN FRANCISCO WHOSE COMPENSATIONS ARE SUBJECT TO THE PROVISIONS OF SECTION 8.409 OF THE CHARTER, IN CLASSES NOT REPRESENTED BY AN EMPLOYEE ORGANIZATION, AND ESTABLISHING WORKING SCHEDULES AND CONDITIONS OF EMPLOYMENT AND METHODS OF PAYMENT, EFFECTIVE JULY 1, 1996.

BE IT ORDAINED BY THE PEOPLE OF THE

CITY AND COUNTY OF SAN FRANCISCO

Section 1. Pursuant to Charter Section 8.409-1, the Mayor hereby proposes and the Board of Supervisors approves the wages, hours and other terms and conditions of employment set forth herein to be applicable to all unrepresented classifications of City employment.

Section 2. Civil Service Rules, Administrative Code and Charter

Unless specifically addressed herein, those terms and conditions of employment which are currently set forth in the Charter, Administrative Code, Civil Service Rules policies and procedures, shall apply to employees covered by this ordinance.

Section 3. Pay, hours and benefits

The wage rates for the employees covered by this ordinance for Fiscal Year 1996-1997 shall be the same as the wage rates in effect on June 30, 1996.

Acting Assignment Pay

The Appointing Officer assigns duties to employees covered by this ordinance. Employees assigned by the Department Head or designee to perform the full range of essential functions of a position in a higher classification shall receive compensation at a higher salary if all of the following conditions are met:

(1) The assignment shall be in writing with copies to the Department of Human Resources and Controller.

(2) The assignment shall conform to all Civil Service Commission Rules, policies and procedures.

(3) The position to which the employee is assigned must be a budgeted position.

(4) The employee is assigned to perform the duties of a higher classification for longer than thirty (30) consecutive working days.

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a. If each of the above criteria are met and upon written approval by the Department Head, an employee shall be paid a one full salary step adjustment (approximately 5%) but which does not exceed the maximum step of the salary schedule of the class to which temporarily assigned. Premiums based on percent of salary shall be paid at a rate which includes out of class pay.

b. Requests for classification or reclassification review shall not be governed by this provision.

Supervisory Differential Adjustment

The Appointing Officer may adjust the compensation of a supervisory employee whose schedule of compensation is set herein subject to the following conditions:

1. The supervisor, as part of the regular responsibilities of his/her class, supervises, directs, is accountable for and is in responsible charge of the work of a subordinate or subordinates.

2. The supervisor must actually supervise the technical content of subordinate work and possess education and/or experience appropriate to the technical assignment.

3. The organization is a permanent one approved by the appointing officer, chief administrative officer, Board or Commission, where applicable, and is a matter of record based upon review and investigation by the Department of Human Resources.

4. The classifications of both the supervisor and the subordinate are appropriate to the organization and have a normal, logical relationship to each other in terms of their respective duties and levels of responsibility and accountability in the organization.

5. The compensation schedule of the supervisor is less than one full step (approximately 5%) over the compensation schedule, exclusive of extra pay, of the employee supervised. In determining the compensation schedule of a classification being paid a flat rate, the flat rate will be converted to a bi-weekly rate and the compensation schedule the top step of which is closest to the flat rate so converted shall be deemed to be the compensation schedule of the flat rate classification.

6. The adjustment of the compensation schedule of the supervisor shall not exceed 5% over the compensation exclusive of extra pay, of the employee supervised.

If the application of this section adjusts the compensation schedule of an employee in excess of his/her immediate supervisor, whose class is also covered by this ordinance the pay of such

immediate supervisor shall be adjusted to an amount $1.00 bi-weekly in excess of the base rate of his/her highest paid subordinate, provided that the other applicable conditions of this section are also met.

7. In no event will the Appointing Officer approve a supervisory salary adjustment in excess of two (2) full steps (approximately 10%) over the supervisor's current basic compensation. If in the following fiscal year a salary inequity continues to exist, the Appointing Officer may again review the circumstances and may grant an additional salary adjustment not to exceed two (2) full steps (approximately 10%).

8. The Human Resources Department shall review any changes in the conditions or circumstances that were and are relevant to the request for salary adjustment under this section.

Salary Step Plan and Salary Adjustments

Appointments to positions in the City and County service shall be at the entrance rate established for the position except as otherwise provided herein.

1. Promotive Appointment in a Higher Class

An employee or officer who is a permanent appointee following completion of the probationary period or six (6) months of permanent service, and who is appointed to a position in a higher classification, either permanent or temporary, deemed to be promotive shall have his/her salary adjusted to that step in the promotive class as follows:

a. If the employee is receiving a salary in his/her present classification equal to or above the entrance step of the promotive class, the employee's salary in the promotive class shall be adjusted one step in the compensation schedule over the salary received in the lower class but not above the maximum of the salary range of the promotive classification.

b. If the employee is receiving a salary in his/her present classification which is less than the entrance step of the salary range of the promotive classification, the employee shall receive a salary step in the promotive class which is closest to an adjustment of 5% above the salary received in the class from which promoted. The proper step shall be determined in the bi-weekly compensation schedule and shall not be above the maximum of the salary range of the promotive class.

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c. If the appointment deemed promotive is a temporary appointment, and the employee, following a period of continuous service at least equal to the prescribed probationary period is subsequently given another appointment, either permanent or temporary, deemed promotive from the prior temporary appointment class, the salary step in the subsequent promotive appointment shall be deemed promotive.

For purpose of this Section, appointment of an employee as defined herein to a position in any class the salary schedule for which is higher than the salary schedule of the employee's permanent class shall be deemed promotive.

2. Non-promotive Appointment

When an employee accepts a non-promotive appointment in a classification having the same salary schedule, or a lower salary schedule, the appointee shall enter the new position at that salary step which is the same as that received in the prior appointment, or if the salary steps do not match, then the salary step which is immediately in excess of that received in the prior appointment, provided that such salary shall not exceed the maximum of the salary schedule.

3. Appointment Above Entrance Rate

Appointments may be made by an appointing officer at any step in the compensation schedule under the following conditions:

a. A former permanent City employee, following resignation with service satisfactory, is being reappointed to a permanent position in his/her former classification.

b. Loss of compensation would result if appointee accepts position at the normal step.

c. A severe, easily demonstrated and documented recruiting and retention problem exists, such that all City appointments in the particular class should be above the normal step.

Flat Rate Converted to Salary Range. An employee serving in a class in the prior fiscal year at a flat rate which flat rate is changed to a compensation schedule number during the current fiscal year shall be paid on the effective date of such change the step in the current salary schedule closest to, but not below, the prior flat rate and shall retain the original anniversary date for future increments, when applicable.

Continuation of Salary Step Earned Under Temporary Appointment. When an employee is promoted under temporary appointment to a higher classification during a prior fiscal year and is continued in the same classification without a break in service in the current fiscal year, or is appointed to a permanent position in the same classification, such appointment shall be in accordance with the provisions of this ordinance, provided that the salary shall not be less than the same step in the salary schedule the employee received in the immediately prior temporary appointment.

Salary Anniversary Date Adjustment. Permanent employees working under provisional, exempt or temporary appointments in other classifications shall have their salary adjusted in such other classifications when such employees reach their salary anniversary date in their permanent class.

4. Compensation Upon Transfer or Reemployment

a. Transfer. An employee transferred from one department to another, but in the same classification, shall transfer at his/her current salary, and if s/he is not at the maximum salary for the class, further increments shall be allowed following the

completion of the required service based upon the seniority increment anniversary date in the former department.

b. Reemployment in Same Classification Following Layoff. An employee who has acquired permanent status in a position and who is laid off because of lack of work or funds and is re-employed in the same class after such layoff shall be paid the salary step attained prior to layoff.

c. Reemployment in an Intermediate Classification. An employee who has completed the probationary period in a promotive appointment that is two or more steps higher in an occupational series than the permanent position from which promoted and who is subsequently laid off and returned to a position in an intermediate ranking classification shall receive a salary based upon actual permanent service in the higher classification, unless such salary is less than the employee would have been entitled to if promoted directly to the intermediate classification.
Further increments shall be based upon the increment anniversary date that would have applied in the higher classification.

d. Reemployment in a Formerly Held Classification.

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An employee who has completed the probationary period in an entrance appointment who is laid off and is returned to a classification formerly held on a permanent basis shall receive a salary based upon the original appointment date in the classification to which the employee is returned. An employee who is returned to a classification not formerly held on a permanent basis shall receive a salary step in the salary schedule for the classification closest to, but not below, the prior salary amounts, provided that salary shall not exceed the maximum of the salary schedule.

Methods of Calculation

1. Monthly. An employee whose compensation is fixed on a monthly basis shall be paid monthly or bi-weekly in accordance with State Law or other applicable provision. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

2. Bi-Weekly. An employee whose compensation is fixed on a bi-weekly basis shall be paid the bi-weekly salary for his/her position for work performed during the bi-weekly payroll period. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

3. Per Diem or Hourly. An employee whose compensation is fixed on a per diem or hourly basis shall be paid the daily or hourly rate for work performed during the bi-weekly payroll period on a bi-weekly pay schedule. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

4. Weekly. An employee whose compensation is fixed on a weekly basis shall be paid bi-weekly for work performed during the bi-weekly payroll period. There shall be no compensation for time not worked unless such time off is authorized time off with pay.

5. Conversion of Annual or Monthly Rates to Semimonthly or Bi-Weekly Rates. When rates of compensation provided on an annual or monthly basis are converted to bi-weekly rates for payroll purposes and the resulting amount involves a fraction of a cent, the converted bi-weekly rate shall be adjusted to eliminate such fraction of a cent on the following basis:

a. A fraction of less than one-half (½) shall be dropped and the amount reduced to the next full cent.

b. A fraction of one-half (½) or more shall be increased to the next full cent.

6. Daily Rates for Monthly and Bi-Weekly Employees. A day's pay shall be determined by dividing the number of work days in a normal work schedule in a monthly payroll period (including specified holidays) into the monthly salary established for the position, or the amount of a day's pay shall be 1/10th of the compensation of a normal work schedule in a bi-weekly period (including specified holidays).

7. Conversion to Bi-Weekly Rates. Rates of compensation established on other than bi-weekly basis may be converted to bi-weekly rates by the Controller for payroll purposes.

Seniority Increments

1. Advancement Through Salary Steps.

a. Permanent employees may advance to the second step upon completion of six months service subject to approval of the appointing officer.

b. Employees who enter a classification at a rate of pay at other than the first step may advance one step upon completion of the one year required service subject to the approval of the appointing officer. Further increments may accrue following

completion of the required service at this step and at each successive step.

2. Date Increment Due. Increments may accrue and become due and payable on the next day following completion of required service as a permanent employee in the class and with approval of the appointing officer, unless otherwise provided herein.

3. Exceptions An employee shall not receive a salary adjustment based upon service as herein provided if he/she has been absent by reason of suspension or on any type of leave without pay (excluding a military leave) for more than one-sixth of the required service in the anniversary year, provided that such employee shall receive a salary increment when the aggregate time worked since his/her previous increment equals or exceeds the service required for the increment, and such increment date shall be his/her new anniversary date; provided that time spent on approved military leave or in an appointive or promotive position shall be counted as actual service when calculating salary increment due dates.

4. Increments may be withheld by the Appointing Officer as a result of identified performance deficiencies.

Work Schedules

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1. Regular Work Schedules

a. Regular Work Day. Unless otherwise provided, a regular workday is a tour of duty of eight (8), hours of work completed within not more than twenty-four (24) hours.

b. Regular Work Week. The Appointing Officer shall determine the work schedule for employees in his/her department. A regular workweek is a tour of duty of five (5) worked days within a seven day period. However, employees who are moving from one shift or one work schedule to another may be required to work in excess of five working days in conjunction with changes in their work shifts or schedules.

Employees shall receive no compensation when properly notified (2-hour notice) that work applicable to the classification is not available because of inclement weather conditions, shortage of supplies, traffic conditions, or other unusual circumstances. Employees who are not properly notified and report to work and are informed no work applicable to the classification is available shall be paid for a minimum of two hours. Employees who have been designated by their department as emergency

personnel must report to work as scheduled unless otherwise notified by the Appointing Officer or designee.

Employees who begin their shifts and are subsequently relieved of duty due to the above reasons shall be paid a minimum of two hours, and for hours actually worked beyond two hours, computed to the nearest one-quarter hour.

2. Night Duty

Employees, exclusive of employees in classes which are exempt from the Fair Labor Standards Act, who, as part of their regularly scheduled work shift, are required to work any hours between (six) 6:00 p.m. and (six) 6:00 a.m. shall receive a premium of 5% per hour in addition to their straight time hourly base rate of pay for any and all hours worked between (six) 6:00 p.m. and (six) 6:00 a.m. Excluded from this provision are those employees who participate in an authorized flex-time program where the work shift includes hours to be worked between the hours of (six) 6:00 p.m. and (six) 6:00 a.m. Day shift employees assigned to work during the night duty premium hours are not eligible for night duty premium. Payment of this premium shall be made for actual hours worked.

3. Alternate Work Schedule

The Appointing Officer may enter into cost equivalent alternate work schedules for some or all employees. Such alternate work schedules may include, but are not limited to, core hours flex-time; full-time work weeks of less than five (5) days; or a combination of features mutually agreeable to the parties. Such changes in the work schedule shall not alter the basis for, nor entitlement to, receiving the same rights and privileges as those provided to employees on five (5) day, forty (40) hour a week schedules.

4. Voluntary Reduced Work Week

Employees subject to the approval by the Appointing Officer may voluntarily elect to work a reduced work week for a specified period of time. Such reduced work week shall not be less than twenty (20) hours per week. Pay, vacation, holidays and sick pay shall be reduced in accordance with such reduced work week.

Overtime Compensation

The Appointing Officer may require employees to work longer than the regular work day or the regular work week. Any time worked under proper authorization suffered to be worked by an employee, exclusive of part-time employees, in excess of 40 hours of actual paid work in a week shall be designated as overtime and shall be compensated at one-and-one-half times the base hourly rate which may include a night differential if applicable; provided however, that employees working in a flex-time program shall be entitled to overtime compensation as provided herein when required to work more than eighty hours per payroll period. Overtime shall be calculated and paid on the basis of the total number of straight-time hours actually worked in a week. Overtime compensation so earned shall be computed subject to all the provisions and conditions set forth herein.

Employees occupying Fair Labor Standards Act (FLSA) exempt (executive, administrative, or professional) positions shall not be paid for overtime worked but may be granted compensatory time off at the discretion of the Appointing Officer.

Employees covered by the FLSA who are required to work overtime shall be paid at a rate of one and one-half times the regular base rate, except by mutual agreement an employee may accrue compensatory time in accordance with the paragraph above.

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Fair Labor Standards Act

To the extent that this ordinance fails to afford employees the overtime or compensatory time off benefits to which they are entitled under the Fair Labor Standards Act, this ordinance authorizes and directs all City Departments to ensure that their employees receive, at a minimum, such Fair Labor Standards Act Benefits.

Standby Pay

Employees who, as part of the duties of their positions are required by the Appointing Officer to standby when normally off duty to be instantly available on call for immediate emergency service for the performance of their regular duties, shall be paid the Federal Minimum Wage per hour for the period of such standby service. During the standby period employees are relieved from duty and such hours are not to be considered hours worked under the FLSA. The issuance of an electronic paging device does not in itself constitute eligibility for standby pay. When such employees are called on to perform their regular duties in emergencies during the period of such standby service, they shall be paid while engaged in such emergency service the usual rate of pay for such service as provided herein.

Notwithstanding the general provisions of this section, standby pay shall not be allowed in classes which are FLSA exempt (executive, administrative or professional).

Call Back

Employees (except those at remote locations where City supplied housing has been offered, or who are otherwise being compensated) who are called back to their work locations following the completion of his/her work day and departure from his/her place of employment, shall be paid at the applicable rate for all hours actually worked. This section shall not apply to employees who are called back to duty when on stand-by status.

Notwithstanding the general provisions of this section, call back pay shall not be allowed in classes which are FLSA exempt (executive, administrative or professional).

Holidays

Except when normal operations require, or in an emergency, employees shall not be required to work on the following days hereby declared to be holidays for such employees:

January 1 (New Year's Day)

the third Monday in January (Martin Luther King, Jr.'s Birthday)

the third Monday in February (President's Day)

the last Monday in May (Memorial Day)

July 4 (Independence Day)

the first Monday in September (Labor Day)

the second Monday in October (Columbus Day)

November 11 (Veteran's Day)

Thanksgiving Day

the day after Thanksgiving

December 25 (Christmas Day)

Provided further, if January 1, July 4, November 11 or December 25 falls on a Sunday, the Monday following is a holiday.

The City shall accommodate religious belief or observance of employees as required by law.

Three additional floating days off to be taken on days selected by the employee subject to prior scheduling approval of the appointing officer. Employees (both full-time and part-time) must

complete six (6) months continuous service to establish initial eligibility for the floating days off. Employees hired on an as-needed, intermittent or seasonal basis shall not receive the additional floating days off. Floating days off may not be carried forward from one fiscal year to the next. No compensation of any kind shall be earned or granted for floating days off not taken.

Employees who have established initial eligibility for floating days off and subsequently separate from City employment, may at the sole discretion of the appointing authority, be granted those floating day(s) off to which the separating employee was eligible and had not yet taken off.

In addition, any day declared to be a holiday by proclamation of the Mayor after such day has heretofore been declared a holiday by the Governor of the State of California or the President of the United States.

For those employees assigned to a work week of Monday through Friday, and in the event a legal holiday falls on Saturday, the preceding Friday shall be observed as a holiday; provided, however, that except where the Governor declares that such preceding Friday shall be a legal holiday, each department head shall make provision for the staffing of public offices under his/her jurisdiction on such preceding Friday so that said public offices may serve the public as provided in Section 7.702 of the Charter. Those employees who work on a Friday which is observed as a holiday in lieu of a holiday falling on Saturday shall be allowed a day off in lieu thereof as scheduled by the appointing

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officer in the current fiscal year. The City shall provide one week's advance notice to employees scheduled to work on the observed holiday, except in cases of unforeseen operational needs.

Holiday Compensation for Time Worked

Employees required by their respective Appointing Officers to work on any of the above-specified or to substitute holidays excepting Fridays observed as holidays in lieu of holidays falling on Saturday, shall be paid extra compensation of one (1) additional day's pay at time and one-half (1-1/2) the usual rate in the amount of twelve (12) hours' pay for eight (8) hours worked or a proportionate amount if less than eight (8) hours worked; provided, however, that at an employee's request and with the approval of the appointing officer, an employee may be granted compensatory time off in lieu of paid overtime.

Employees occupying positions which are exempt from the FLSA (Executive, administrative and professional) shall not receive extra compensation for holiday work but may be granted time off at the discretion of the Appointing Officer.

Holidays for Employees on Work Schedules Other Than Monday Through Friday

1. Employees assigned to seven (7) day-operation departments or employees working a five (5) day work week other than Monday through Friday shall be allowed another day off if a holiday falls on one of their regularly scheduled days off.

2. Employees whose holidays are changed because of shift rotations shall be allowed another day off if a legal holiday falls on one of their days off.

3. Employees required to work on a holiday which falls on a Saturday or Sunday shall receive holiday compensation for work on that day. Holiday compensation shall not then be additionally paid for work on the Friday preceding a Saturday holiday, nor on the Monday following a Sunday holiday.

4. Sections 2. and 3. above shall apply to part-time employees on a pro-rata basis.

If the provisions of this section deprive an employee of the same number of holidays that an employee receives who works Monday through Friday, s/he shall be granted additional days off to equal such number of holidays. The designation of such days off shall be by mutual agreement of the employee and the appropriate employer representative. Such days off must be taken within the fiscal year. In no event shall the provisions of this section result in such employee receiving more or less holidays

than an employee on a Monday through Friday work schedule.

Holiday Pay for Employees Laid Off

An employee who is laid off at the close of business the day before a holiday who has worked not less than five (5) previous consecutive workdays shall be paid for the holiday at their normal rate of compensation.

Employees Not Eligible for Holiday Compensation

Persons employed for holiday work only, or persons employed on a part-time work schedule which is less than twenty (20) hours in a bi-weekly pay period, or persons employed on an intermittent part-time work schedule (not regularly scheduled), or persons employed on as-needed, seasonal or project basis for less than six (6) months continuous service, or persons on leave without pay status both immediately preceding and immediately following the legal holiday shall not receive holiday pay.

Part-time Employees Eligible for Holidays

Part-time employees who regularly work a minimum of twenty (20) hours in a bi-weekly pay period

shall be entitled to holiday pay on a proportionate basis.

Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a bi-weekly pay period, therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1//10 of the total hours regularly worked in a bi-weekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the bi-weekly pay period immediately preceding the pay period in which the holiday falls. The computation of holiday time off shall be rounded to the nearest hour.

The proportionate amount of holiday time off shall be taken in the same fiscal year in which the holiday falls. Holiday time off shall be taken at a time mutually agreeable to the employee and the appropriate employer representative.

In-Lieu Holidays

(1) Requests for in-lieu holidays shall be made to the appropriate management representative within thirty (30) days after the holiday is earned and must be taken within the fiscal year.

(2) In-lieu days will be assigned by the appointing officer or designee if not scheduled in

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accordance with the procedures described herein

(3) An in-lieu holiday can be carried over into the next fiscal year only with the written approval of the appointing officer.

Sick Leave

Requests for sick leave in excess of forty (40) consecutive hours shall be certified by a licensed medical doctor, doctor of dental surgery, doctor of podiatric medicine, licensed clinical psychologist, Christian Science practitioner, or licensed doctor of chiropractic. Verification of sick leave for less than forty (40) hours may be required at the sole discretion of the Appointing Officer or his/ her designee.

Health and Welfare and Dental Insurance

City Contribution

The City will maintain health and dental contributions at present levels for the life of this

ordinance.

The level of the City's contribution to health benefits will be set in accordance with the requirements of Charter Sections 8.423 and 8.428.

The City will cease payment of any and all contributions for employee health and dental benefits for those employees who remain on unpaid status, with the exception of approved sick leave, in excess of twelve (12) continuous weeks.

Dependent Health Care

Effective 7/1/96 the City's contribution for dependent health care coverage shall be a total of $225 per covered employee per month. The aforesaid contribution shall be effective the beginning of the pay period closest to, but not preceding, the date set forth above.

Retirement Contribution

The City shall pick up the employee contribution to Retirement (as defined by Section 414(h) of the Internal Revenue Code of 1986 as amended from time to time for any successor statute) to the extent set forth below:

For the period July 1, 1996 through December 27, 1996, the City will contribute to the appropriate pension plan a total of:

6.5% of pension covered gross salary for old plan SFERS members and new plan full rate members;
6.5% of pension covered gross salary for all PERS members;
1.3% of pension covered gross salary for new plan reduced rate SFERS members;
1.8% of pension covered gross salary for old plan reduced rate SFERS members.

Effective December 28, 1996, each employee covered by this ordinance shall be placed into full retirement contribution status which shall be irrevocable unless changed by subsequent action by the Board of Supervisors. For the period December 28, 1996 through June 30, 1997, the City will contribute to the appropriate pension plan a total of:

8% of pension covered gross salary for old plan SFERS full rate members;
7.5% of pension covered gross salary for new plan full rate SFERS members;
7.0% of pension covered gross salary for miscellaneous PERS members;
7.0% of pension covered gross salary for safety PERS members (when applicable);
8.0% of pension covered gross salary for safety PERS members (when applicable).

The aforesaid contributions shall be effective the beginning of the pay period closest to, but not preceding, the dates set forth above.

The aforesaid contributions shall not be considered as part of an employee's compensation for the purpose of computing straight time earnings, compensation for overtime worked, premium pay, or retirement benefits, nor shall such contributions be taken into account in determining the level of any other benefit which is a function of or percentage of salary.

Sick Leave With Pay Limitation

An employee who is absent because of disability leave and who is receiving disability indemnity payments may request that the amount of disability indemnity payment be supplemented

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with salary to be charged against the employee's sick leave with pay credits so as to equal the net amount the employee would have earned for a regular work schedule minus premium pay adjustments. If the employee wishes to exercise this option, the employee must submit a signed statement to the employee's department no later than thirty (30) days following the employee's release from disability leave.

SDI payments to an employee who qualifies and who has accumulated and is eligible to use sick leave with pay credits shall be supplemented with sick leave with pay credits so that the total of SDI and sick leave with pay calculated in units of one (1) hour provides up to, but does not exceed, the regular net salary the employee would have received for the normal work schedule excluding overtime.

Workers Compensation

Employee supplementation of workers compensation payment to equal the full salary the employee would have earned for the regular work schedule in effect at the commencement of the workers compensation leave shall be drawn only from an employee's paid leave credits

including vacation, sick leave balance, or other paid leave as available.

Section 4. Training, Career Development and Incentives

Unrepresented employees shall be on paid status when assigned to attend required educational programs scheduled during normal working hours.

Savings Clause

Should any part hereof or any provision herein be declared invalid by any decree of court of competent jurisdiction, such invalidation of such part or portion of this ordinance shall not invalidate the remaining portions hereof and the remaining portions hereof shall remain in full force and effect for the duration of this ordinance.

Recodifications may have rendered the references to specific Civil Service Rules and Charter sections contained herein, incorrect. Such terms will be read as if they accurately referenced the same sections in their newly codified form as of July 1, 1996.

This Ordinance shall be effective July 1, 1996.

APPROVED AS TO FORM:

LOUISE RENNE, CITY ATTORNEY

By _____

Deputy City Attorney

33

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 22, 1996	$	April 29, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	$	Bierman Hsieh Kaufman Kennedy
Leal Shelley Teng Yaki	$	Leal Teng Yaki
	$	
	$	Absent: Supervisor Shelley

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 93-96-20

MAY - 1 1996

Date Approved

Mayor

DOCUMENTS DEPT.

MAY 13 1996

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4/24/96

FILE NO. 101-95-71.1 ORDINANCE NO. 179-96

(Government Funding) RO#95182
SA#85

APPROPRIATING $5,687,710 OF 1996A CITY HALL IMPROVEMENT BOND FUND PROCEEDS FOR DESIGN AND CONSTRUCTION OF NON-SEISMIC IMPROVEMENTS AT CITY HALL FOR THE DEPARTMENT OF PUBLIC WORKS, FOR BOND ISSUANCE COSTS FOR THE OFFICES OF THE CAO, CONTROLLER AND CITY ATTORNEY AND FOR REPAYMENT OF THE GENERAL FUND ADVANCE FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
3C-XCF-96A	1995 City Hall Improvement Bond Fund		
DPW-AR	Public Works - Architecture		
Proj. CATCHIMP0000	Master Proj.-City Hall Imprvt.		
800-80111 (DPWAAYCF0355)	Proceeds From Bond Sales	$5,687,710	
Proj.CATCHIMP0001)	Master Proj. -City Hall Improvt.		
060-06700 (DPWAAYCF0355)	Bldg. , Structures & Impr.		$3,858,855
Proj.CATCHIMP0002			
081-081CT (030039)	Legal Services - City Atty.		$90,000
Proj.CATCHIMP0003			
081-081CA (700594)	CAO - Consultation		$175,000
Proj CATCHIMP0004			
081-081C2 (CON310600)	Controller		$35,000
091-0931G (xxxxxxxxxxxx)	OTO - To General Fund - 1G-AGF-AAA		$1,528,855
	Total 3C-XCF-96A	$5,687,710	$5,687,710
1G-AGF-AAA	General Fund		
910-9303X (xxxxxxxxxxx)	OTI from 3C-XCF-96A to General Fund Reserve	$1,528,855	
097-09799 (CON1GAGFAAA)	General Reserve		$1,528,855
	Total General Fund	$1,528,855	$1,528,855

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY _____

BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

MAY 15 1996

SAN FRANCISCO
PUBLIC LIBRARY

cc

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 29, 1996	§	May 6, 1996
	§	
	§	
Ayes: Supervisors Alioto Ammiano	§	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	§	Bierman Hsieh Kaufman Kennedy
Leal Teng Yaki	§	Leal Shelley Teng Yaki
	§	
Absent: Supervisor Shelley	§	

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Acting Clerk

File No.
101-95-71.1

MAY - 8 1996
Date Approved

Mayor

FILE NO. 101-95-72

ORDINANCE NO. 180-96

(Government Funding)

RO#95187
SA#77

APPROPRIATING AND RESCINDING ~~$112,124~~ $77,002 OF HETCH HETCHY OPERATING FUNDS TO ALLOW HETCH HETCHY TO CREATE AND DELETE SIX (6) POSITIONS FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
5T-AAA-AAA	Hetchy Operating-Non-Project Controlled		
001-00101 (320101)	Misc. Salaries-Regular	~~$96,608~~ $66,761	~~$96,608~~ $66,761
013-01901 (320101)	Mandatory Fringe Benefits	~~$15,516~~ $10,241	~~$15,516~~ $10,241
	Total	~~$112,124~~ $77,002	~~$112,124~~ $77,002

Section 2. Funds are hereby appropriated for the creation and deletion of Six (6) positions by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-95-18) as follows:

Class	Classification Title	Rate	Positions Created
Positions Created Index Code 320101; Sub-Object 00101			
5630 S	Water & Power Analyst I	1603B1946	1
5631 S	Water & Power Analyst II	1765B2145	1
5633 S	Water & Power Specialist	2297B2793	3
5634 S	Water & Power Manager	2660B3234	1
	Total Positions Created		6

Positions Deleted Index Code 320101; Sub-Object 00101

Class	Classification Title	Rate	Position Deleted
AA73 S	Water & Power Manager	2557B3108	1
AA74 S	Water & Power Specialist	1899B2309	3
AA75 S	Water & Power Analyst II	1658B2014	1
AA76 S	Water & Power Analyst I	1443B1748	1
	Total Positions Deleted		6

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY _____

DEPARTMENT OF HUMAN RESOURCES:

BY: _____
DIRECTOR

n:\wordfile\budget\32\ord77

BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

MAY 15 1996

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1996	May 6, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisor Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
101-95-72

MAY - 8 1996
Date Approved

Mayor

FILE NO. 101-95-73
(Government Funding)

ORDINANCE NO. 181-96
RO#95186
SA#69

APPROPRIATING $275,500 OF REDEVELOPMENT AGENCY REVENUE FOR SALARIES, PROFESSIONAL SERVICES AND SERVICES OF OTHER DEPARTMENTS TO ALLOW THE CAO'S OFFICE TO ASSIST THE REDEVELOPMENT AGENCY WITH URBAN DESIGN GUIDELINES FOR THE MID-EMBARCADERO ROADWAY REPLACEMENT AND OPEN SPACE PROJECTS FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
IG-AGF-AAA	General Fund		
CA-CAO	Chief Administrative Officer		
750-79751 (700581)	Services of other Government Agencies	275,500	
001-00101 (705016)	Salaries - Miscellaneous		30,200
021-02799 (705016)	Professional Services		155,000
081-081WE (705016)	Services of Other Dept.-DPW Engineering		58,500
081-081RP (705016)	Services of Other Dept.-Rec. & Park		15,000
081-081AR (705016)	Services of Other Dept.-Art Commission		16,800
	Total	275,500	275,500

BOARD OF SUPERVISORS

APPROVED AS TO FORM.
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

MAY 15 1996

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1996	May 6, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisor Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No.
101-95-73

MAY - 8 1996
Date Approved

Mayor

FILE NO. 101-95-74 ORDINANCE NO. 182-96

(Government Funding) RO# 95191
SA#89

APPROPRIATING $5,337,594 FOR FISCAL YEAR 1995-96 FROM THE GENERAL FUND RESERVE (ESTABLISHED FROM THE 1994-95 ONE TIME ACCOUNTING ADJUSTMENT) FOR PURCHASE AND INSTALLATION OF AN INTERIM COMPUTER AIDED DISPATCH (CAD/911) SYSTEM AT THE POLICE DEPARTMENT INCLUDING PROFESSIONAL SERVICES, SERVICES OF OTHER DEPARTMENTS AND OVERTIME. PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-ACP	General Fund		
UN-UNA	General Fund Unallocated		
097-09799 (*CON1GAGFAAA)	General Reserve	$5,337,594	
PC-POL	Police Department		
Proj. PPC911	CAD/911 System		
001-01101 (385040)	Overtime - Miscellaneous		$219,419
021-02700 (385040)	Professional Services		$4,385,260
081-081C5 (385040)	Services of Other Dept.-ISD		$323,665
081-081ET (385040)	Services of Other Dept.-Electricity		$50,000
081-081WB (385040)	Services of Other Dept.-DPW		$359,250
		$5,337,594	$5,337,594

SUPERVISORS SHELLEY, KENNEDY

BOARD OF SUPERVISORS

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: BLT
DEPUTY CITY ATTORNEY

n excel\Sprof\38SA#89

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: John W Hambley

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

MAY 15 1996

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1996	May 6, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisor Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 101-95-74

MAY - 8 1996
Date Approved

Mayor

FILE NO. 102-95-18 ORDINANCE NO. 183-96

PUBLIC EMPLOYMENT SAL.ORD.AMEND. NO. 14

AMENDING ORDINANCE NO. 256-95 (ANNUAL SALARY ORDINANCE, 1995/96) REFLECTING THE CREATION AND DELETION OF SIX (6) POSITIONS AT PUBLIC UTILITIES, HETCH HETCHY PROJECT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No.256-95 (Annual Salary Ordinance, 1995/96) are hereby amended so that the same shall read as follows:

Department and Number	Source of Funds and Purpose of Appropriation
5T-AAA-AAA	Hetchy Operating-Non-Project Controlled
001-00101 (320101)	Miscellaneous Salaries - Regular

(Amendment)	No. Pos.	Class and Item No.	Class Title	Compensation Schedule
1 Added	1	5630	S Water & Power Analyst I	SC $1603B1946
1 Added	1	5631	S Water & Power Analyst II	SC $1765B2145
3 Added	3	5633	S Water & Power Specialist	SC $2297B2793
1 Added	1	5634	S Water & Power Manager	SC $2660B3234
1 Deleted	0	AA73	S Water & Power Manager	$2557B3108
3 Deleted	0	AA74	S Water & Power Specialist	$1899B2309
1 Deleted	0	AA75	S Water & Power Analyst II	$1658B2014
1 Deleted	0	AA76	S Water & Power Analyst I	$1443B1748

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

Wendell Brown
HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodora P. Lakey
DEPUTY CITY ATTORNEY

NO. 14

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

April 29, 1996

Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki

Absent: Supervisor Shelley

Finally Passed

May 6, 1996

Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jesse C. Lum
Acting Clerk

File No. 102-95-18

MAY - 8 1996
Date Approved

Mayor

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MAY 15 1996

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FILE NO. 46-96-6 ORDINANCE NO. 184-96

[Settlement of Lawsuit]

AUTHORIZATION OF SETTLEMENT OF THE LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO V. VASILIOS AND CHRISTINE GLIMIDAKIS, ET AL.,, IN THE AMOUNT OF FORTY THOUSAND DOLLARS ($40,000).

Be it ordained by the People of the City and County of San Francisco:

Section 1: The City Attorney is hereby authorized to settle the court action entitled CITY AND COUNTY OF SAN FRANCISCO V. VASILIOS GLIMIDAKIS AND CHRISTINE GLIMIDAKIS, Superior Court No. 963-377, by receiving from Defendants the amount of $40,000 to be paid in equal installments over a period of six months. Said installment payments shall begin six months from the effective date of this Ordinance.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

ILENE DICK
Deputy City Attorney

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

FRED LAU, POLICE CHIEF

SAN FRANCISCO POLICE COMMISSION

JOHN KEKER, PRESIDENT

DEPARTMENT OF BUILDING INSPECTION

FRANK Y. CHIU, DIRECTOR

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 29, 1996	$	May 6, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	$	Bierman Hsieh Kaufman Kennedy
Leal Teng Yaki	$	Leal Shelley Teng Yaki
	$	
Absent: Supervisor Shelley	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 46-96-6

MAY - 8 1996
Date Approved

Mayor

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MAY 15 1996

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FILE NO. 97-96-14.1 ORDINANCE NO. 185-96

[Agendas and Public Notices in Plain English]

AMENDING CHAPTER 67 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 67.7 THEREOF, TO REQUIRE THAT ITEMS ON AGENDAS OF MEETINGS OF POLICY BODIES OF THE CITY AND COUNTY OF SAN FRANCISCO SHOULD BE WRITTEN IN PLAIN ENGLISH, AND BY ADDING SECTION 67.7-1 THERETO, TO REQUIRE THAT PUBLIC NOTICES MAILED BY CITY DEPARTMENTS, BOARDS, AGENCIES, AND COMMISSIONS TO RESIDENTS BE WRITTEN IN PLAIN ENGLISH AND ADVISE THE PUBLIC HOW THEY MAY SUBMIT WRITTEN COMMENTS TO CITY OFFICIALS REGARDING THE SUBJECT OF PUBLIC MEETINGS AND HEARINGS.

NOTE: Additions are underlined; deletions are indicated in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 67 of the San Francisco Administrative Code is hereby amended by amending Section 67.7 and adding 67.7-1 to read as follows:

SEC. 67.7. AGENDA REQUIREMENTS; REGULAR MEETINGS.

(a) At least 72 hours before a regular meeting, a policy body shall post an agenda containing a meaningful description of each item of business to be transacted or discussed at the meeting.

(b) A description is meaningful if it is sufficiently clear and specific to alert a person of average intelligence and education whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information on the item. The description should be brief, concise and ((nontechnical)) written in plain, easily understood English. It may refer to explanatory documents, such as correspondence or reports, posted adjacent to the agenda or, if such documents are of more than one page in length, available for public inspection and copying at a stated location during normal office hours.

(c) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public.

(d) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a policy body may respond to statements made or questions posed by persons exercising their public testimony rights, to the extent of asking a question for clarification, providing a reference to staff or other resources for factual information, or requesting staff to report back to the body at a subsequent meeting concerning the matter raised by such testimony.

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(e) Notwithstanding Subdivision (d), the policy body may take action on items of business not appearing on the posted agenda under any of the following conditions:

(1) Upon a determination by a majority vote of the body that an accident, natural disaster or work force disruption poses a threat to public health and safety;

(2) Upon a good faith, reasonable determination by a 2/3 vote of the body, or, if less than 2/3 of the members are present, a unanimous vote of those members present, that (A) the need to take immediate action on the item is so imperative as to threaten serious injury to the public interest if action were deferred to a subsequent special or regular meeting, or relates to a purely commendatory action, and (B) that the need for such action came to the attention of the body subsequent to the agenda being posted as specified in Subdivision (a);

(3) The item was posted pursuant to Subdivision (a) for a prior meeting of the body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(f) Each board and commission enumerated in the charter shall ensure that agendas for each regular and special meeting are made available to speech- and hearing-impaired persons through

telecommunications devices for the deaf, telecommunications relay services or equivalent systems, and, upon request, to sight-impaired persons through Braille or enlarged type.

Section 2. Chapter 67 of the San Francisco Administrative Code is hereby amended by adding Section 67.7-1, to read as follows:

SEC. 67.7-1 Public Notice Requirements

(a) Any public notice that is mailed, posted or published by a City department, board, agency, or commission to residents residing within a specific area to inform those residents of a matter that may impact their property or that neighborhood area, shall be brief, concise and written in plain, easily understood English.

(b) The notice should inform the residents of the proposal or planned activity, the length of time planned for the activity, the effect of the proposal or activity, and a telephone contact for residents who have questions.

(c) If the notice informs the public of a public meeting or hearing, then the notice shall state that persons who are unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of

the meeting or hearing, that these comments will be made a part of the official public record, and that the comments will be brought to the attention of the person or persons conducting the public meeting or hearing. The notice should also state the name and address of the person or persons to whom those written comments should be submitted.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

Theodore R. Lakey

Deputy City Attorney

SUPERVISORS KAUFMAN, TENG, BIERMAN

BOARD OF SUPERVISORS

5

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 29, 1996	$	May 6, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	$	Bierman Hsieh Kaufman Kennedy
Leal Teng Yaki	$	Leal Shelley Teng Yaki
	$	
Absent: Supervisor Shelley	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean C. Kuhn

Acting Clerk

File No. 97-96-14.1

MAY - 8 1996

Date Approved

Mayor

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MAY 15 1996

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Amendment of the Whole
April 23, 1996.

FILE NO. 97-96-15 ORDINANCE NO. 186-96

(Hold Harmless Agreements)

ADDING SECTION 1.49 TO THE SAN FRANCISCO ADMINISTRATIVE CODE REGARDING HOLD HARMLESS AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS).

Note: Additions are not underlined.
The section added is entirely additional.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 1.49 thereto to read as follows:

Section 1.49 HOLD HARMLESS AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION. The Director of the Department of Public Works, the Parking and Traffic Commission, the Public Utilities Commission, the Port Commission, the Airport Commission and the Public Transportation Commission are hereby authorized to enter into hold harmless agreements with the California Department of Transportation for the purpose of obtaining encroachment permits from the State for the construction of City-owned projects.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

BY: George K. Wang
Deputy City Attorney

RECOMMENDED:

Ann Branston
Acting Director of Public Works

APPROVED:

William L. Lee
Chief Administrative Officer

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 29, 1996	$	May 6, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	$	Bierman Hsieh Kaufman Kennedy
Leal Teng Yaki	$	Leal Shelley Teng Yaki
	$	
Absent: Supervisor Shelley	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Acting Clerk

File No. 97-96-15

MAY - 8 1996
Date Approved

Mayor

DOCUMENTS DEPT.

MAY 15 1996

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FILE NO. 124-96-4 ORDINANCE NO. 187-96

(PARKING REGULATIONS)

AMENDING SECTIONS 33.3, 38.B, AND 38.B.1 OF THE SAN FRANCISCO TRAFFIC CODE REGARDING THE DESIGNATION OF SPECIAL TRUCK LOADING ZONES AND YELLOW ZONES.

Note: Additions or substitutions are underlined
Deletions are indicated by ((double parentheses))

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Traffic Code is hereby amended by amending Sections 33.3, 38.B, and 38.B.1 thereof to read as follows:

SECTION 33.3. SPECIAL TRUCK LOADING ZONES. When the Director of Parking and Traffic shall determine that the establishment of special truck loading zones on streets in the City and County of San Francisco is reasonably necessary or desirable for the regulation of traffic, the Director is hereby authorized to designate such zones on any portion of a street wherein, between the hours designated by the Director, stopping, standing or parking shall be limited to trucks for the purpose of loading or unloading freight for a period not in excess of 30 minutes. In parking meter areas, the ((The)) zones shall be posted with signs giving notice of the stopping, standing and parking restrictions effective in the zone, and shall have parking meters permitting a maximum parking time of 30 minutes. Denomination of the coin or coins that shall be deposited in these parking meters, the parking time allowed following deposit of such coins, and the hours during which such deposits are required shall be the same as those set for all other parking meters in the same parking meter area or areas.

The provisions of this Section shall apply to all yellow zones within the Metropolitan Traffic District between the hours of 7:00 a.m. and 6:00 p.m. on any day.

No person shall stop, stand or park any vehicle, whether attended or unattended, in a special truck loading zone established pursuant to the provisions of this Section between the hours designated by the Director of Parking and Traffic on any day, provided that trucks may stop, stand or park for the purpose of loading or unloading freight for a period not in excess of 30 minutes.

The term "truck" as used in this Section shall mean a motor vehicle designed, used, or maintained primarily for the transportation of property, but not including a station wagon, as defined in Section 585 of the Vehicle Code of the State of California.

Nothing herein contained shall be construed to prevent a station wagon licensed as a commercial vehicle from stopping, standing or parking, whether attended or unattended, in any yellow zone heretofore or hereafter designated as such pursuant to Section 38.B of this Code.

SECTION 38.B. CURB PARKING REGULATIONS -- YELLOW ZONES -- METROPOLITAN TRAFFIC DISTRICT. No person shall stop, except for the purpose of loading or unloading passengers or freight, in a yellow curb marking within the Metropolitan Traffic District between the hours of 7:00 a.m. and 6:00 p.m., or in such yellow curb marking where a ((longer)) different period has been designated and signs posted apprising persons of such change, on any day except Sundays, in excess of a period of three minutes for passenger vehicles or 30 minutes for commercial vehicles. Passenger vehicles shall not be stopped in yellow zones under any circumstances between the hours specified or as ((extended)) designated except while the operator is in attendance.

In parking meter areas, the ((The)) zones shall be posted with signs giving notice of the stopping, standing and parking restrictions effective in the zone, and shall have parking meters permitting a maximum parking time of 30 minutes. Denomination of the coin or coins that shall be deposited in these parking meters, the parking time allowed following deposit of such coins, and the hours during which such deposits are required shall

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MAY 15 1996

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be those set for all other parking meters in the same parking meter area or areas.

SECTION 38.B.1. CURB PARKING REGULATIONS -- YELLOW ZONES -- OUTSIDE METROPOLITAN TRAFFIC DISTRICT. No person shall stop, except for the purpose of loading or unloading passengers or freight, in a yellow curb marking outside the Metropolitan Traffic District between the hours of 8:00 a.m. and 6:00 p.m., or in such yellow curb marking where a ((longer)) different period has been designated and signs posted apprising persons of such change, on any day except Sundays, in excess of a period of three minutes for passenger vehicles or 30 minutes for commercial vehicles. Passenger vehicles shall not be stopped in yellow zones under any circumstances between the hours specified or as ((extended)) designated except while the operator is in attendance.

In parking meter areas, the ((The)) zones shall be posted with signs giving notice of the stopping, standing and parking restrictions effective in the zone, and shall have parking meters permitting a maximum parking time of 30 minutes. Denomination of the coin or coins that shall be deposited in these parking meters, the parking time allowed following deposit of such coins, and the hours during which such deposits are required shall be those set for all other parking meters in the same parking meter area or areas.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

RECOMMENDED:

_____
John E. Newlin, Director
Department of Parking and Traffic

BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
April 29, 1996	$	May 6, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano	$	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	$	Bierman Hsieh Kaufman Kennedy
Leal Teng Yaki	$	Leal Shelley Teng Yaki
	$	
Absent: Supervisor Shelley	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Acting Clerk

File No. 124-96-4

MAY - 8 1996
Date Approved

_____
Mayor

FILE NO. 127-96-2 ORDINANCE NO. 188-96

(NEW JOBS TAX CREDIT - EXTENSION)

AMENDING ARTICLE 12-A OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE (REVENUE AND FINANCE BUSINESS REGULATIONS) BY AMENDING SECTION 906B THEREOF, EXTENDING THE EXPIRATION DATE OF THE NEW JOBS TAX CREDIT TO DECEMBER 31, 2002.

NOTE: Additions are underlined;
deletions are indicated in ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. Article 12-A of the San Francisco Municipal Code is hereby amended by amending Section 906B thereof to read as follows:

SEC. 906B. NEW JOBS TAX CREDIT.

(a) Purpose. The purpose of this provision is to increase the number of permanent jobs (which in no case shall be a job lasting less than two years) within the City and County of San Francisco by providing an incentive for businesses to create or relocate jobs in San Francisco that otherwise would be situated elsewhere. ((As)) The Board of Supervisors encourages business to consider the placement of San Francisco residents in jobs

which are created or relocated and which result in tax credits as provided in this Section.

(b) **General rule.** (1) Any business, as defined in Section 902.2 of Part III of the Municipal Code, shall be allowed a credit against the Payroll Expense Tax for each new job created on or after July 1, 1993; however, in no event shall the tax credit reduce a taxpayer's liability for such tax to less than zero. Each taxpayer claiming the tax credit shall file with the Tax Collector, on a form prescribed by the Tax Collector, an affidavit under penalty of perjury attesting to the facts required by the Tax Collector to establish the taxpayer's entitlement to the tax credit consistent with this Section and regulations adopted by the Tax Collector.

(2) No business shall be allowed a credit under this Section for any job which previously had been performed in San Francisco for a predecessor employer.

(c) **Amount of Credit.** (1) For purposes of this Section, the amount of the new jobs tax credit for any given year, subject to the conditions below, shall be a percentage of the additional Payroll Expense Tax that otherwise would be due (assuming for this purpose that the Business Tax does not apply) for an

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individual hired after July 1, 1993 for a job qualifying for the credit based on the employee's duration of employment as follows:

Duration of Employment	Tax Credit
First 12 months	100%
Second 12 months	50%

(2) For purposes of this Section, "base year liability" for any given tax year shall be the employer's highest Payroll Tax liability (exclusive of any credits granted under this provision) for any prior year from 1992 on.

(3) No credit shall be allowed for any first year of employment to the extent that such credit would reduce the employer's Payroll Tax Expense liability below that employer's base year liability.

(4) No credit shall be allowed for any second year of employment to the extent that such credit for second year employment and any credits for first year of employment would reduce the employer's Payroll Tax Expense liability below the employer's previous base year liability.

(5) For purposes of this limitation, it shall be presumed that the employer is liable for the Payroll Expense Tax, regardless of the Business Tax.

(d) **Small Business Tax Exemption.** If after the new jobs tax credit the net tax does not exceed $2,500, and the taxpayer is a "small business enterprise" as defined in Section 905-A of this part, the taxpayer shall be exempt from taxation under this ordinance.

(e) **Regulations.** The Tax Collector is directed to adopt and promulgate and to enforce rules and regulations relating to the application of this Section including provisions which provide penalties due to fraud, any underpayment of tax, or an intent to evade this ordinance or authorized rules and regulations. The Board of Review, consisting of the Chief Administrative Officer, the Controller and the Assessor, and as provided for in Section 913 of this Code, shall approve, modify or disapprove the rules and regulations prescribed by the Tax Collector pursuant to this ordinance. Any rules and regulations adopted by the Tax Collector shall also be approved by the City Attorney, and further provided that any modifications determined by the Board of Review shall be approved as to legal form by the

City Attorney. The rules and regulations shall become effective 30 days after receipt by the Clerk of the Board, unless the Board of Supervisors disapproves or modifies the regulations. The Board of Supervisors' determination to modify or disapprove a rule or regulation submitted by the Tax Collector pursuant to this ordinance shall not impair the ability of the Tax Collector to submit the same or a similar rule or regulation to the Board of Supervisors if the Tax Collector determines it is necessary to effectuate the purpose of this ordinance.

(f) Report on Effect of Tax Credit. The Tax Collector shall submit a report to the Board of supervisors on May 31, 1994, and every year thereafter for which the tax credit is available, which evaluates the effect of the tax credit on employment and local tax revenues. The Tax Collector shall also make available to the Board of Supervisors the aggregate information of the dollar value of the new jobs tax credits claimed each year by businesses.

(g) Expiration. The New Jobs Tax Credit provided in this Section shall expire on ((December 31, 1997)) December 31, 2002, unless the Board of Supervisors extends the credit.

APPROVED AS TO FORM:

Deputy City Attorney

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1996	May 6, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisor Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean C. Kim
Acting Clerk

File No.
127-96-2

MAY - 8 1996
Date Approved

Mayor

FILE NO. 172-96-7 ORDINANCE NO. 189-96

[APPROVING REGIONAL TRIP PLANNING AGREEMENT]

APPROVING A CONTRACT BETWEEN THE CITY, THROUGH ITS MUNICIPAL RAILWAY, AND THREE BAY AREA TRANSIT AGENCIES, TO PROVIDE A REGIONAL DATABASE FOR ROUTE, SCHEDULE AND FARE INFORMATION SO THAT PASSENGERS CAN PLAN REGIONAL TRIPS.

Note: This material is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That the Board of Supervisors hereby approves an agreement between the City and County of San Francisco, through its Municipal Railway, and BART, AC Transit and the Metropolitan Transportation Commission, to provide a regional database for route, schedule and fare information so that public transit passengers can plan regional trips, a copy of which agreement is on file in the Office of the Clerk of the Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

BOARD OF SUPERVISORS

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 29, 1996	§	May 6, 1996
	§	
	§	
Ayes: Supervisors Alioto Ammiano	§	Ayes: Supervisors Alioto Ammiano
Bierman Hsieh Kaufman Kennedy	§	Bierman Hsieh Kaufman Kennedy
Leal Teng Yaki	§	Leal Shelley Teng Yaki
	§	
Absent: Supervisor Shelley	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean C. Fum
Acting Clerk

File No. 172-96-7

MAY - 8 1996
Date Approved

Mayor

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MAY 15 1996

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FILE NO. 65-96-7 ORDINANCE NO. 190-96

(LEASE MODIFICATION)

APPROVING THIRD AMENDMENT TO LEASE OF REAL PROPERTY BETWEEN THE FRANCISCAN RESTAURANT AND THE CITY AND COUNTY OF SAN FRANCISCO OPERATING BY AND THROUGH THE SAN FRANCISCO PORT COMMISSION FOR RESTAURANT AND RETAIL USES AT PIER 43 ½, FISHERMANS' WHARF

Be it ordained by the People of the City and County of San Francisco:

Section 1

The Board of Supervisors finds that:

A. Section 3.581(g) of the City Charter authorizes the Port Commission to enter into leases and franchises for the operation of property within the jurisdiction of the Port Commission; and

B. Section 7.402-1 of the City Charter authorizes the Board of Supervisors to review and approve by ordinance, the leases or the modification, amendment or termination of any leases of real property entered into by a department, board or commission for a period of time in excess of ten (10) years or having anticipated revenue to the City and County of San Francisco of one million dollars or more; and

C. In 1970, the Port Commission entered into a sixty six year lease (Lease No. 7496), with the Franciscan Restaurant, a California corporation, (the "Tenant") for space at Pier 43 ½, Fishermans' Wharf for restaurant and retail uses. Said lease was amended in 1987 to add an outdoor crab stand; and

D. The Franciscan Restaurant proposes improvements to the premises demised in the Lease to expand Tenant's business, thereby increasing the financial return the Port, as provided for in the Rent Credit policy adopted by the Port Commission by Resolution No. 91-118; and

E. On March 26, 1996, the Port Commission approved by resolution, the Third Amendment to Lease No. 7496 incorporating the terms set forth in the Memorandum to the Port Commission dated March 18, 1996, in such form as was approved by the City Attorney. A copy of Port Commission Resolution No. 96-28 and the Memorandum to the Port Commission is hereto attached and a copy is on file with the Clerk of the Board of Supervisors in File No. 65-96-7 ; and

Section 2

NOW THEREFORE BE IT ORDAINED, that the Board of Supervisors hereby approves the Third Amendment to Lease No. 7496, incorporating the terms set forth in the attached Memorandum to the Port Commission and hereby authorizes the Executive Director of the Port of San Francisco or his designee to execute the same on behalf of the Port in substantially the form attached hereto.

APPROVED AS TO FORM

LOUISE H. RENNE

City Attorney

By: Neil Sekhri

NEIL H. SEKHRI

Deputy City Attorney

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MAY 29 1996

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 29, 1996	May 13, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Teng Yaki	Ayes: Supervisors Alioto Ammaino Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki
Absent: Supervisor Shelley	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

File No.
65-96-7

MAY 15 1996
Date Approved

Mayor

FILE NO. 97-95-56 ORDINANCE NO. 191-96

(Implementation of California Mills Act)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 71 TO IMPLEMENT CALIFORNIA MILLS ACT, CALIFORNIA GOVERNMENT CODE SECTIONS 50280 ET SEQ., ALLOWING OWNERS OF QUALIFIED HISTORIC PROPERTIES TO CONTRACT WITH THE CITY TO REHABILITATE, RESTORE AND PRESERVE PROPERTIES AND TO PROCURE PROPERTY TAX REDUCTIONS PURSUANT TO INDIVIDUAL MILLS ACT CONTRACTS AND AUTHORIZING FEE TO PAY FOR COSTS OF ENTERING MILLS ACT CONTRACT AND ADMINISTERING PROGRAM.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter 71, consisting of Sections 71.1 through 71.6, to read as follows:

Chapter 71

MILLS ACT CONTRACT PROCEDURES

SEC. 71.1. PURPOSE. (a) The purpose of this Chapter 71 is to implement the California Mills Act, California Government Code Sections 50280 et seq. The Mills Act authorizes local governments to enter into contracts with owners of private historical property who will rehabilitate, restore, preserve, and maintain qualified historical property. As consideration for the rehabilitation, restoration, preservation and maintenance of the qualified historical property, the City and County of San Francisco may provide certain property tax reductions in accordance with Article 1.9 (commencing with Section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue & Tax Code.

(b) San Francisco contains many historic buildings which add to its character and international reputation. Many of these buildings have not been adequately maintained, may be structurally deficient, or may need rehabilitation. The costs of properly rehabilitating, restoring and preserving historic buildings may be prohibitive for property owners. Implementation of the Mills Act in San Francisco will make the benefits of the Mills Act available to many property owners.

(c) The benefits of the Mills Act to the individual property owners must be balanced with the cost to the City and County of San Francisco of providing the property tax reductions set forth in the Mills Act as well as the historical value of individual buildings proposed for historical property contracts, and the resultant property tax reductions, under the Mills Act.

SEC. 71.2. QUALIFIED HISTORIC PROPERTY. An owner, or an authorized agent of the owner, of a qualified historical property may apply for a historical property contract. For purposes of this Chapter 71, "qualified historical property" shall mean privately owned property which is not exempt from property taxation and which is one of the following:

(a) individually listed in the National Register of Historic Places; or

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(b) designated as a City landmark pursuant to San Francisco Planning Code Article 10.

SEC. 71.3. APPLICATION FOR HISTORICAL PROPERTY CONTRACT. An owner, or an authorized agent of an owner, of a qualified historical property may submit an application for a historical property contract to the Planning Department on forms provided by the Planning Department. The property owner shall provide, at a minimum, the address and location of the qualified historical property, evidence that the property is a qualified historical property, the nature and cost of the rehabilitation, restoration or preservation work to be conducted on the property, and a plan for continued maintenance of the property. The Planning Department may require any further information it determines necessary to make a recommendation on the historical property contract.

SEC. 71.4. APPROVAL PROCESS.

(a) Review by the Assessor's Office. The Planning Department shall refer the application for historical property contract to the San Francisco Assessor for its review and recommendation. The Assessor shall provide to the Board of Supervisors an estimate of the property tax calculations and the difference in property tax assessments under the different valuation methods permitted by the California Mills Act so that the City can evaluate the difference between property tax which would normally be collected by the City and the property tax which would be collected pursuant to the historical property contract.

(b) Landmarks Board Review. The Landmarks Preservation Advisory Board shall hold a public hearing to review the application for the historical property contract and shall make its recommendation to the Planning Commission on the proposed rehabilitation, restoration or preservation work, the historical value of the qualified historical property and any proposed preservation restrictions and maintenance requirements.

(c) Planning Commission Review. Upon receipt of the Landmarks Board's recommendation, the Planning Commission shall hold a public hearing to review the application for the historical property contract. Upon approval by the Planning Commission, the application shall be referred to the Board of Supervisors for its review and approval or disapproval. In the event the Planning Commission disapproves the historical property contract, such decision shall be final unless the property owner appeals such disapproval by filing an appeal with the Board of Supervisors within ten (10) days of final action by the Planning Commission.

(d) Board of Supervisors Decision. The Board of Supervisors shall conduct a public hearing to review the Planning Commission recommendation, the information provided by the Assessor's Office, and any other information the Board requires in order to determine whether the City should execute a historical property contract for a particular property. The Board of Supervisors shall have full discretion to determine whether it is in the public interest to enter a Mills Act historical property contract with a particular

qualified historical property. The Board of Supervisors may approve, disapprove, or modify and approve the terms of the historical property contract. Upon approval, the Board of Supervisors shall authorize the Director of Planning and the Assessor to execute the historical property contract.

SEC. 71.5. TERMS OF THE HISTORICAL PROPERTY CONTRACT.

(a) The historical property contract shall set forth the agreement between the City and the property owner that as long as the property owner properly rehabilitates, restores, preserves and maintains the qualified historical property as set forth in the contract, the City shall comply with California Revenue and Taxation Code Article 1.9 (commencing with Section 439) of Chapter 3 of Part 2 of Division 1, provided that the Assessor determines that the specific provisions of the Revenue and Taxation Code are applicable to the property in question. A historical property contract shall contain, at a minimum, the following provisions:

(1) The term of the contract, which shall be for a minimum of ten (10) years;

(2) The owner's commitment and obligation to preserve, rehabilitate, restore and maintain the property in accordance with the rules and regulations of the Office of Historic Preservation of the California Department of Parks and Recreation and the United States Secretary of the Interior's Standards for the Treatment of Historic Properties;

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(3) Permission to conduct periodic examinations of the interior and exterior of the qualified historical property by the Landmarks Board, the Assessor, the Department of Building Inspection, the Office of Historic Preservation of the California Department of Parks and Recreation and the State Board of Equalization as may be necessary to determine the owner's compliance with the historical property contract;

(4) That the historical property contract is binding upon, and shall inure to the benefit of, all successors in interest of the owner;

(5) An extension to the term of the contract so that one (1) year is added automatically to the initial term of the contract on the anniversary date of the contract or such other annual date as specified in the contract unless notice of non-renewal is given as provided in the Mills Act and in the historical property contract;

(6) Agreement that the Board of Supervisors may cancel the contract, or seek enforcement of the contract, when the Board determines, based upon the recommendation of any one of the entities listed in subsection (3) above, that the owner has breached the terms of the contract. The City shall comply with the requirements of the Mills Act for enforcement or cancellation of the historical property contract. Upon cancellation of the contract, the property owner shall pay a cancellation fee of twelve and one-half percent (12.5%) of the full value of the property at the time of cancellation (or such other amount authorized by the

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Mills Act), as determined by the Assessor without regard to any restriction on such property imposed by the historical property contract; and

(7) The property owner's indemnification of the City for, and agreement to hold the City harmless from, any claims arising from any use of the property.

(b) The City and the qualified historical property owner shall comply with all provisions of the California Mills Act, including amendments thereto. The Mills Act, as amended from time to time, shall apply to the historical property contract process and shall be deemed incorporated into each historical property contract entered into by the City.

SEC. 71.6. FEES. The Planning Department shall determine the amount of a fee necessary to compensate the City for processing and administering an application for a historical property contract. The fee shall pay for the time and materials required to process the application, based upon the estimated actual costs to perform the work, including the costs of the Planning Department, the City Attorney, the Assessor and the Board of Supervisors. The City may also impose a separate fee, following approval of the historical property contract, to pay for the actual costs of inspecting the qualified historical property and enforcing the historical property contract. Each department shall provide a written estimate of its costs to process the application. Such estimates shall be provided to the applicant, who shall pay the fee when submitting the

application. In the event that the costs of processing the application are lower than the estimates, such difference shall be refunded to the applicant. In the event the costs exceed the estimate, the Planning Department shall provide the applicant with a written analysis of the additional fee necessary to complete the review of the application, and applicant shall pay the additional amount prior to any action approving the historical property contract. Failure to pay any fees shall be grounds for cancelling the historical property contract.

SEC. 71.7. SEVERABILITY. Clauses of this Chapter are declared to be severable and if any provision or clause of this Chapter or the application thereof is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions of this Chapter.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 13, 1996	May 20, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Shelley Teng Yaki
Absent: Supervisor Leal	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-95-56

MAY 22 1996
Date Approved

Mayor

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JUN 04 1996

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FILE NO. 101-95-75 ORDINANCE NO. 112-96

(Government Funding) RO#95190
SA#82-A1-3

APPROPRIATING AND RESCINDING $22,040,803 OF REVENUES (REALIGNMENT, SHORT DOYLE MEDI-CAL AND MEDI-CAL), CONTRIBUTION TRANSFERS, SALARIES AND FRINGE BENEFITS AT THE DEPARTMENT OF MENTAL HEALTH, LAGUNA HONDA AND SAN FRANCISCO GENERAL HOSPITALS TO ADDRESS THE PROJECTED DEFICIT AT THE DEPARTMENT OF PUBLIC HEALTH FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-1996 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-AAA	General Fund		
HM - HMH	Public Health - Mental Health		
450-45511 (HMH048082)	State Realignment/Mental Health	$6,074,311	
450-45416 (HMH048041)	Short Doyle Medi-Cal		$2,500,000
600-65103 (HMH048041)	Medi-Cal		$576,542
UN-UNA	General Unallocated		
092-0925H UNAGFAAA925H	CTO to 5H-AAA-AAA; SFGH Operating Fund	$2,880,601	
092-0925L UNAGFAAA925L	CTO to 5L-AAA-AAA; Laguna Honda Operating Fund		$5,878,370
	Total	$8,954,912	$8,954,912

BOARD OF SUPERVISORS

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
5L-AAA-AAA	LHH-Operating Fund		
HL-HLH	Laguna Honda Hospital		
450-45511 (HLHMISCREV)	Health Sales Tax Allocation (Realignment)	$3,000,000	
910-9201G (HLAAAAA201G)	CTI from 1G-AGF-AAA; General Fund	$5,878,370	
600-65902 (HLH448704)	Medi-Cal		$5,878,370
001-00100 (HLH448704)	Salaries Misc.-Regular		$733,867
001-00400 (HLH448704)	Salaries - Nurses - Regular		$1,598,633
013-01901 (HLH448704)	Mandatory Fringe Benefits		$466,500
001-00100 (HLH449439)	Salaries - Misc.-Regular		$167,500
013-01901 (HLH449439)	Mandatory Fringe Benefits		$33,500
	Total	$8,878,370	$8,878,370
5H-AAA-AAA	SFGH - Operating Fund		
HG-HGH	SF General Hospital		
600-65902 HGH1FHF100101	Medical Net Revenue	$2,401,855	
450-48999 HGH1FHF100101		$1,805,666	

BOARD OF SUPERVISORS

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Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Credit
910-9201G HG5HAAA9201G	CTI from 1G-AGF-AAA; General Fund		$2,880,601
001-00601 (HGH1HUN40061)	Temporary Salaries - Nurses		$1,105,767
013-01901 (HGH1HUN40061)	Mandatory Fringe Benefits		$221,153
	Total	$4,207,521	$4,207,521

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 13, 1996	$	May 20, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	$	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Shelley Teng Yaki
	$	
	$	
	$	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-95-75

MAY 22 1996
Date Approved

_____
Mayor

FILE NO. 34-96-1 ORDINANCE NO. 193-96

AMENDING ORDINANCE NO. 1061 ENTITLED "REGULATING THE WIDTH OF SIDEWALKS" BY ADDING THERETO SECTION NO. 1521 CHANGING THE OFFICIAL SIDEWALK WIDTH ON THE EAST SIDE OF INDIANA STREET BETWEEN 23RD STREET & TUBBS STREET, AS SHOWN ON THE DEPARTMENT OF PUBLIC WORKS DRAWING LABELED Q-20-435 AND MAKING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

Be it ordained by the people of the City and County of San Francisco:

SECTION 1: Ordinance No. 1061 entitled " Regulating the Width of Sidewalks", be and is hereby amended in accordance with the communication filed in the Office of the Clerk of the Board of Supervisors, by adding thereto a new section to be numbered as follows:

Section 1521. The width of sidewalks on a) East side of Indiana Street between 23rd Street and Tubbs Street, shall be as shown on the Department of Public Works drawing labeled Q-20-435, and

SECTION 2: The Planning Department in its letter dated January 30, 1996 states that the above described change of official sidewalk width is in conformity with the Master Plan and makes findings of consistency with the Eight Priority Policies of Planning Code Section 101.1.

The San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department in its letter dated January 30, 1996, that the project intended by the proposed changes of official sidewalk widths are consistent with the Eight Priority Policies of Planning Code Section 101.1.

///////

The Bureau of Engineering, Department of Public Works, as is necessary as a result of this Ordinance, shall make arrangements with Public Utility companies and City Departments for the relocation and / or adjustment of their facilities in the affected sidewalk and street areas.

RECOMMENDED:

Acting Director of Public Works

DESCRIPTION APPROVED:

City Engineer

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By
Deputy City Attorney

APPROVED:

Chief Administrative Officer

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JUN 04 1996

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 13, 1996	May 20, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Shelley Teng Yaki
Absent: Supervisor Leal	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
34-96-1

MAY 22 1996
Date Approved

Mayor

FILE NO. 36-96-3 ORDINANCE NO. 194-96

(Zoning Map Change)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPERTY GENERALLY DESCRIBED AS 1118 CAPITOL AVENUE, ASSESSOR'S BLOCK 6937, LOT 26, FROM AN RH-1 (HOUSE, ONE-FAMILY) DISTRICT TO AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 302(c) of Part II, Chapter II of the San Francisco Municipal Code (City Planning Code), the following change in property use classification, duly approved by resolution of the City Planning Commission, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco as shown on the Map on File with the Clerk of the Board of Supervisors under File No. 36-96-3 .

Description of Property	Use District to be Superseded	Use District Hereby Approved
COMMENCING at a point on the easterly line of //	RH-1 (House One-Family) District	RH-2 (House, Two Family) District

Capitol Avenue, distant thereon 100 feet northerly from the northerly line of Holloway Avenue; running thence northerly and along said line of Capitol Avenue 25 feet; thence at a right angle easterly 112 feet, 6 inches; thence at a right angle southerly 25 feet; thence at a right angle westerly 112 feet, 6 inches so the easterly line of Capitol Avenue to the point of commencement, being all of Lot 26, in Block 6937. Lakeview.

Section 2. Pursuant to Planning Code Section 101.1, this Board of Supervisors adopts City Planning Commission Resolution No. 14083 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:

LOUISE RENNE, CITY ATTORNEY

By Judith A. Boyajian
Deputy City Attorney

RECOMMENDED:

CITY PLANNING COMMISSION

By L. R. Blazej
Lucian Blazej
Director of Planning

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JUN 04 1996
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cc

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 13, 1996	May 20, 1996
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Shelley Teng Yaki	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Shelley Teng Yaki
Absent: Supervisor Leal	Absent: Supervisors Hsieh Kennedy Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 36-96-3

MAY 22 1996
Date Approved

Mayor

FILE NO. 90-96-2 ORDINANCE NO. 195-96

(Landmarks)

DESIGNATING THE MILO HOADLEY RESIDENCE AS LANDMARK NO. 216 PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the Hoadley Residence, located at 2908-2910 Bush Street, Lot 13 in Assessor's Block 1046, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a Landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation: Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, the Hoadley Residence is hereby designated as Landmark No. 216. This designation having been fully approved by Resolution No. 14079 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 90-96-2 and is incorporated herein and made a part of hereof as though fully set forth.

(b) Required Data:

(1) The description of the location and boundaries of the Landmark site is the Milo Hoadley Residence located at 2908-2910 Bush Street, being Lot 13 within Assessor's Block 1046.

(2) The characteristics of the Landmark which justify its designation are described and shown in the photographs and other materials on file in the Planning Department Docket No. 95.649L and the Landmarks Preservation Advisory Board's Case Report contained in Docket No. 95.649L.

(3) The particular features that should be preserved are those shown in the photographs on file in Planning Department Docket No. 95.649L and described in the Landmarks Preservation Advisory Board's Case Report, in Section A, entitled "Architecture," Subsection No. 5, "Design" and in Section D, "Integrity," said photographs and Case Report are incorporated in this designating ordinance as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

By _____
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By _____
Lu Blazej
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 13, 1996	$	May 20, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Hsieh Kaufman Kennedy Shelley Teng Yaki	$	Ayes: Supervisors Alioto Ammiano Bierman Kaufman Shelley Teng Yaki
	$	
	$	
Absent: Supervisor Leal	$	Absent: Supervisors Hsieh Kennedy Leal
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
90-96-2

MAY 22 1996
Date Approved

Mayor

FILE NO. 97-96-25 ORDINANCE NO. 196-96

[General Assistance Grant Levels]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 20.57 (GENERAL ASSISTANCE ORDINANCE) RELATING TO THE COST OF LIVING ADJUSTMENT OF AID GRANTS.

Note: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 20.57 thereof, to read as follows:

SEC. 20.57. COMPUTATION AND PAYMENT OF AID GRANTS; AMOUNTS PAYABLE.

(a) For each eligible individual or for each eligible family of two or more persons who qualify for aid under the General Assistance Program, the maximum monthly amount of aid to which such recipients are entitled is listed below.

MAXIMUM GENERAL ASSISTANCE GRANT AMOUNT

Single Individual	$345
Number of Eligible Person in Same Family	
2 Persons	$567
3 Persons	$703
4 Persons	$834
5 Persons	$952
6 Persons	$1070
7 Persons	$1175
8 Persons	$1281
9 Persons	$1388
10 Persons	$1508

In the case of more than 10 persons in a family budget unit, an additional $25 each month shall be paid for each additional person in the family budget unit. For the purpose of this section, a family is defined as a group of persons living together who are related by the first degree of consanguinity.

(b) With respect to all recipients, initial aid payments shall be conditional upon completion of the Department orientation and evaluation program. In addition, with respect to each employable recipient, continuing aid shall be conditioned, at the option of the Department, upon either completion of 20 verifiable job applications per month and/or participation in a Department approved job counseling, vocational rehabilitation, drug or alcohol treatment or work assignment program. Verifiable job applications or job searches within the meaning of this Section, Section 20.58(c), and Section 20.58.2(b)(5) of this Article, shall include, but not be limited to: (1) sending applications, resumes and cover letters to apply for available positions for which the recipient meets the minimum qualifications, with copies of these

Supervisor Kennedy

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documents and the telephone number of the prospective employer provided to the Department of Social Services so they can be verified; and (2) participation by a union member in union hiring hall programs that make use of telephone job searches for currently available positions.

In addition, with respect to each unemployable recipient, continuing aid shall be conditioned upon application ((in)) for, and pursuit of, SSI/SSP benefits, if eligible, and participation in a Department approved rehabilitation program. Aid may be withheld, reduced, or discontinued for failure to meet these requirements.

(c) The Maximum General Assistance Grant may include a Municipal Railway Fast Pass or tokens as an in-kind grant, in which event the cost of the Municipal Railway Fast Pass or tokens to the Department of Social Services shall be deducted from the Maximum General Assistance Grant Amounts listed above to arrive at the Maximum Cash General Assistance Grant Amount which may be issued by means of warrants, vouchers or checks. The Municipal Railway Fast Pass or tokens shall be for the sole use of the recipient.

(d) The Maximum General Assistance Grant Amounts listed in Section 20.57(a) of this ordinance shall be adjusted automatically each July 1st beginning July 1, 1981, by the annual percentage cost of living increase or decrease to the Minimum Basic Standard

of Adequate Care adopted by the California State Legislature in the Aid to Families with Dependent Children Program.

(e) The maximum monthly amount of aid for which an applicant is eligible shall be the Maximum General Assistance Grant Amount prorated as of the eligibility determination date, less any cash available to the applicant during that calendar month, and less the fair market value of any nonexempt personal property available to the applicant during that calendar month. Rent, retroactive to the first of the month in which eligibility was determined, may be authorized to prevent eviction from existing housing.

(f) The maximum monthly amount of aid for which a recipient is eligible shall be the Maximum General Assistance Grant Amount, or the amount determined pursuant to Section (b) less any cash received from sources other than General Assistance which is or will be available to the recipient during the month for which aid is paid, and less the fair market value of any nonexempt personal property which is or will be available to the recipient during the month for which aid is paid.

(g) No grant shall be issued for less than $5.

(h) To promote the transition of General Assistance recipients to gainful employment, the General Manager of the Department of Social Services may establish an Income and Asset Disregard Program for the recipients who are employed. The Income and Asset Disregard Program shall provide for disregarding a

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certain amount of gross income which a recipient earns as wages and savings derived therefrom when determining a recipient's General Assistance Program eligibility and grant amount. The total amount of gross income disregarded shall not exceed the sum of the following amounts: (1) all of the first $200 of recipient gross wage earnings; (2) two-thirds of the second $150 of recipient gross wage earnings; (3) one half of the third $150 of recipient gross wage earnings; (4) one third of the fourth $150 of recipient gross wage earnings; and (5) one fifth of the fifth $150 of recipient gross wage earnings. All recipient gross wage earnings above $800 shall be offset on a dollar-for-dollar basis against the grant amount to which a recipient would otherwise be entitled. In addition, for recipients participating in this program up to $2,000 of recipient savings derived from the recipient's gross wage earnings shall be disregarded during the recipient's participation in this program and for up to three months thereafter. Also, if as a result of retrospective budgeting a recipient's total currently available financial resources in a month including his or her adjusted General Assistance grant, wages, and savings are less than the maximum General Assistance grant amount, the recipient shall be eligible for a grant supplement in the form of a rental expense voucher for unpaid rent in that month and up to $50 in cash so that the recipient's currently available financial resources may total up to the maximum General Assistance grant amount. This grant

supplement is available a maximum of three times per year for program participants and is not available to recipients who quit a job without good cause.

Recipient gross wage earnings are defined for purposes of this Section as any income received by the recipient as payment for a recipient's labor. This Section supersedes the provisions of Subsection 20.55.2(m), Section 20.56.6, Subsections 20.56.10(a) and (b), Subsections 20.57(e) and (f), and subsections 20.59.10(d),(e) and (f) when determining recipient eligibility and when calculating the maximum monthly amount of aid for program participants. All other recipient income and assets shall continue to be offset on a dollar-for-dollar basis when calculating the grant amount to which a recipient is otherwise eligible. For recipients participating in this program, General Assistance eligibility shall be determined on a monthly basis and a recipient's grant amount shall be adjusted for gross wage earnings on the basis of retrospective budgeting in the month following the recipient's receipt of wage income. Verified expenses which exceed the total sum of a participant's grant, wages, and savings in any given month create a rebuttable presumption of ineligibility for aid.

Every twelve months, commencing June 1, 1994, and ending June 1, 1996, the General Manager shall report to the Board of Supervisors and to the Mayor the progress and results of the program to date.

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(i) The automatic adjustment provisions of Subsection (d) are hereby suspended for fiscal year ((1995-96)) 1996-97. Adjustments for subsequent fiscal years made pursuant to this Section shall not include any adjustments for any fiscal year in which the cost of living was suspended.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 13, 1996	May 20, 1996
Ayes: Supervisors Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki	Ayes: Supervisors Bierman Kaufman Kennedy Shelley Teng Yaki
Noes: Supervisors Alioto Ammiano	Noes: Supervisors Alioto Ammiano
	Absent: Supervisors Hsieh Leal

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 97-96-25

MAY 22 1996
Date Approved

_____
Mayor

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JUN 04 1996

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FILE NO. 93-95-33.1 ORDINANCE NO. 197-96

(MEMORANDUM OF UNDERSTANDING)

AMENDING ORDINANCE NO. 219-95 TO IMPLEMENT THE PROVISIONS OF AN ARBITRATION AWARD BETWEEN THE TEAMSTERS LOCAL 856 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR THE PERIOD JULY 1, 1996 THROUGH JUNE 30, 1998.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby amends ordinance 219-95 to implement the provisions of the arbitration award dated August 1995 between the The Teamsters Locals 856 and The City and County of San Francisco to be effective July 1, 1996 through June 30, 1998. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
May 20, 1996	$	May 28, 1996
Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Shelley Teng Yaki	$	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Leal Shelley Teng Yaki
Absent: Supervisors Hsieh Leal	$	Absent: Supervisors Alioto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 93-95-33.1

MAY 30 1996
Date Approved

Julia L. Brown
Mayor

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JUN 13 1996

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5/15/96 - As amended in Committee.

FILE NO. 101-95-76

(Government Funding)

ORDINANCE NO. 198-96

RO#95195
SA#94

5/15/96
b

$1,984,126
APPROPRIATING ~~$2,265,000~~ FROM THE GENERAL FUND RESERVE FOR SALARIES, FRINGE BENEFITS, SERVICES OF OTHER DEPARTMENTS (WORKERS COMPENSATION) AND FACILITIES MAINTENANCE FOR THE FIRE DEPARTMENT FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-AAA	General Fund		
UN-UNA	General Unallocated		
097-09799 (CON1GAGFAAA)	General Reserve	$1,984,126 ~~$2,265,000~~	
FC-FIR	Fire Department		
001-00201 (315014)	Permanent Salaries - Uniform		$1,128,622 ~~$1,207,389~~
001-00902 (315014)	Premium Pay - Uniform		$262,829 ~~$316,000~~
001-01102 (315014)	Overtime - Uniform		$135,000
013-01303 (315014)	Retirement - Uniform		- 0 - ~~$105,000~~
081-081H3 (315012)	Workers Compensation		$292,675 ~~$337,644~~
Proj. FFC293	Various Facilities Maintenance Projects		
069-06931 (310090)	Facilities Maintenance		$165,000
	Total	$1,984,126 ~~$2,265,000~~	$1,984,126 ~~$2,265,000~~

BOARD OF SUPERVISORS

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

n:\land\approp\31aap94

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

BOARD OF SUPERVISORS

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JUN 13 1996

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cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 20, 1996	$	May 28, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Shelley Teng Yaki	$	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Leal Shelley Teng Yaki
	$	
Absent: Supervisors Hsieh Leal	$	Absent: Supervisors Alioto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-95-76

MAY 30 1996
Date Approved

Mayor

5/15/96 - As amended in Committee.

FILE NO. 101-95-77 ORDINANCE NO. 199-96

(Government Funding) RO#95178
SA#81.

5/15/96
jlb

APPROPRIATING ~~$45,000~~ $43,966 OF FIRE PLAN CHECKING REVENUE FOR THE PURCHASE OF COMPUTER EQUIPMENT AT THE FIRE DEPARTMENT FOR FISCAL YEAR 1995-96.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1995-96 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
1G-AGF-AAA	General Fund		
FC-FIR	Fire Department		
600-60667 (315003)	Fire Plan Checking	$43,966 ~~$45,000~~	
5/15/96 jlb			
060-06161 (315010)	Data Processing Equipment-Lease/Purchase		$43,966 ~~$45,000~~
	Total	$43,966 ~~$45,000~~	$43,966 ~~$45,000~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

n:\ass\approp\31aa81

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 20, 1996	May 28, 1996
Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Shelley Teng Yaki	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Leal Shelley Teng Yaki
Absent: Supervisors Hsieh Leal	Absent: Supervisors Alioto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____ 5/31/96
Clerk

File No. 101-95-77

MAY 30 1996
Date Approved

_____
Mayor

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JUN 13 1996

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In Committee 5/20/96

FILE NO. 3-96-1.1 ORDINANCE NO. 200-96

[Release of lien and forgiveness of debt]

FORGIVING DEBT FOR UNPAID WATER CHARGES WHICH INCLUDES INTEREST AND PENALTIES OWED BY BOOKER T. WASHINGTON COMMUNITY SERVICE CENTER AND AUTHORIZING AND DIRECTING CITY OFFICERS AND EMPLOYEES TO EXPUNGE LIEN FOR THOSE CHARGES ON PROPERTY KNOWN AS BOOKER T. WASHINGTON COMMUNITY SERVICE CENTER AT 800 PRESIDIO.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1.

A. Findings

A lien totaling more than $10,145.90 has been placed on property owned by the Booker T. Washington Community Service Center (Bopker T. Washington) located at 800 Presidio Avenue in the City and County of San Francisco. With the exception of $161.00 of unpaid school taxes, that lien is attributable entirely to delinquent water service charges and includes interest and penalties on the unpaid water service charges. In Resolution # 144-96 the Board found that the existence of the lien prevented Booker T. Washington from qualifying for a loan to pay off a mortgage and do much needed capital improvements. Based on this finding the Resolution urged the Mayor and the Tax Collector to expunge the lien and forgive accrued penalties and interest. Since that date Booker T. Washington has obtained approval for the refinancing of its property. The loan contemplates that the proceeds of the refinancing would be used to pay off the lien. However, if the loan proceeds are used to pay off the lien, there will be less money for repairs and other capital improvements.

Since 1920 Booker T. Washington has been the only African-American privately owned and operated center of its kind in San Francisco. The Center has provided a home away from home to many of San Francisco's prominent African Americans, including Mayor Willie L. Brown, Jr., former Deputy Mayor Rotea Gilford, and singer Johnny Mathis. In addition Booker T. Washington, a tax-exempt nonprofit entity provides a wide array of interracial community based recreational, educational, sports and cultural awareness programs for youth and their parents.

The Board has the authority to forgive all of the aforementioned $10,145.90 with the exception of the $161.00 for school taxes.

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The expungement of the aforementioned lien and the forgiveness of the debt to the City will enhance the capacity of Booker T. Washington to provide important community services.

B. Forgiveness of Debt and Directions to City Officers and Employees

The City and County of San Francisco hereby forgives and cancels the aforementioned debt for water charges including interest and penalties. Upon the payment by Booker T. Washington of the $161.00 for school taxes, all City officers and employees are hereby directed to expunge the aforementioned lien and to take all other steps necessary to implement the forgiveness and cancellation of the aforementioned water service charges and interest and penalties.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
BURK E. DELVENTHAL
Deputy City Attorney

BOARD OF SUPERVISORS
SUPERVISOR KENNEDY
M:\GOVERN\BDELVENT\BOARD\BOOKER.ORD

5/20/96
Page 3

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
May 20, 1996	$	May 28, 1996
	$	
	$	
Ayes: Supervisors Alioto Ammiano Bierman Kaufman Kennedy Shelley Teng Yaki	$	Ayes: Supervisors Ammiano Bierman Hsieh Kaufman Kennedy Leal Shelley Teng Yaki
	$	
Absent: Supervisors Hsieh Leal	$	Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
3-96-1.1

MAY 30 1996
Date Approved

_____
Mayor

Union/Omaha, Ne
Houchen
Bindery Ltd
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